

DOCUMENTS DEPARTMENT

1/5



CLOSED
STACKS

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY
SAN FRANCISCO PUBLIC LIBRARY

SAN FRANCISCO
PUBLIC LIBRARY

REFERENCE
BOOK

Not to be taken from the Library

DEC 1 2 1995

SAN FRANCISCO PUBLIC LIBRARY



3 1223 03476 7393

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, April 5, 1973.

The City Planning Commission met pursuant to notice on Thursday, April 5, 1973, at 1:15 P.M. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Daniel Sullivan, Planner IV (Zoning); Alec Bash, Planner III; Calvin Malone, Planner III; John Phair, Planner III; Robert Feldman, Planner II; Glenda Skiffer, Planner II; Lawrence Sauve, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ralph Craib represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that the minutes of the meetings of March 8 and 15, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that the Board of Supervisors, meeting on Monday, had approved the Environmental Impact Ordinance with two amendments, both of which had been recommended by the City Attorney.

The Director informed the Commission that two evening meetings have been scheduled, as follows:

1. April 25 at 7:30 p.m., Room 282, City Hall - Second public hearing on draft of Conservation Element of Comprehensive Plan.
2. May 10 at 7:30 p.m., Room 282, City Hall - First public hearing on revised draft of Improvement Plan for Recreation and Open Space.

The Director then continued his report, as follows:

"Before you is a list of 36 projects which are proposed for inclusion in the supplemental report to the Capital Improvement Program report of January 20th.



Digitized by the Internet Archive
in 2012 with funding from
California State Library Califa/LSTA Grant

<http://archive.org/details/25minutesofsanfran1973sa>

"Normally, these projects represent regular budgetary proposals which were submitted too late for inclusion in the Commission's report or supplemental budget submissions. This year, to meet a requirement of the U.S. Department of Housing and Urban Development, we have included in the supplemental report those projects which comprise the Open Space Land Program. Also included are those projects which are part of the Mayor's General Revenue Sharing program.

"The list contains several significant projects. On Line 10 is the new proposed bond program of the Unified School District for the reconstruction of school facilities to meet Field Act requirements. The first phase of the program is proposed for submission to the electorate in November of this year.

"The projects on Lines 11, 12 and 20 relate directly to the work which we have done in the Haight-Ashbury community and on the protected residential concept of the Urban Design Plan and the recreation objectives of the Chinatown study. I am pleased to see the implementation of planning concepts.

"During the review of the Capital Improvement Program, the Commission expressed concern regarding the need for a master plan for Golden Gate Park. The project on Line 27 is a first step toward meeting this need.

"Finally, on Line 35, there is a project for replacement of trolley coaches for the Municipal Railway from funds from the Metropolitan Transportation Commission.

"The remaining projects will provide for the resolution of deficiencies in the City's physical plant. If there are any questions, I would be happy to answer them."

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the 36 Projects be approved as in conformity with the Master Plan.

The Director informed the Commission that he had been elected to the Board of Directors of the American Society of Planning Officials for a three year term.

The Director continued his report as follows:

"I have received a letter dated March 20, 1973 from Charlotte Maeck for the Board of Directors of the Pacific Heights Association requesting Planning Commission review of Building Application No. 412299 for a 43 unit apartment building on a 15,040 sq. ft. vacant lot at the southeast corner of Vallejo and Fillmore Street.

"The subject property is zoned R-4, but subsequent to the filing of the Building Application in August - 1972, has been included within an area requested by the Pacific Heights Association for reclassification to R-2. The site is within a 40-foot height limit district and the preliminary plans filed with the site permit step up the upward sloping site in conformity with the Code provisions for this district. Under the R-4 density standards applicable to the subject application up to 75 dwelling units could be permitted. If rezoned to R-2 approximately 10 dwelling units could be developed. Properties along Vallejo Street are developed less intensively than the proposed 43 one and two bedroom dwelling units. A high-rise apartment building abuts the property to the south, with frontage on Broadway.

"The concerns expressed in the letter are basically that of density traffic generation, and building bulk and appearance.

"The application was approved by this Department but returned to the Department due to the receipt of the Association letter. Since that date the developer and architect have met with members of the Association, but to our knowledge the basic concerns have not been mitigated as a result of these meetings.

"As this project is substantially less dense than permitted by the Planning Code, the design appears to be one that would encourage a relatively stable occupancy, and the height meets the minimum code standards. I do not believe it is the type of project which warrants discretionary review by the Commission, and thus recommend that no discretionary review of the project be given by the Commission."

Ken Brown, representing the Pacific Heights Association, submitted petitions which contained the names of 53 property owners who supported the request for a discretionary review. He stated that the proposed building would double the population of the block in spite of the fact it will occupy only one-eighth of the street frontage of the block. In addition, the building would bring additional traffic congestion and would down-grade property values in the area.

Walter Pellegrini, contractor for the applicant, stated that the proposed building would have only 80% of the density permitted by the City Planning Code; and he indicated that the building would be below (maximum code) standards in other respects, also. He stated that one off-street parking space would be provided for each unit in the building; and, since tenants not owning automobiles would probably rent their garage spaces to other residents of the neighborhood, the building would actually help to reduce parking congestion in the area. He stated that the subject property is too expensive to justify its development with four town-houses; and, in any case, he doubted that people would want to buy town-houses located next door to a school.

Mr. Brown stated that the members of the Pacific Heights Association were also concerned about the appearance of the proposed building.

Commissioner Fleishhacker moved that the request for a discretionary review of the building application be denied. He stated that the Commission was accustomed to conducting discretionary reviews only when an overwhelming problem, usually traffic, was posed by a proposed development; and he did not feel that the building being proposed in the present instance would fit that category. It appeared to him that the request for the discretionary review had been based on the design and appearance of the proposed building; and he did not feel that the Commission should undertake discretionary review for those reasons.

The motion was seconded by Commissioner Porter.

When the question was called, the Commission voted unanimously to deny the request to conduct a discretionary review of Building Application No. 412299.

Commissioner Rueda stated that he had not yet received data which he had requested from the staff of the Department of City Planning regarding mobility of people in the Mission District. The Director replied to that that he would get the information as soon as possible.

R73.15 PEVOCABLE ENCROACHMENT PERMIT: SIDEWALK NARROWING ON WEST SIDE OF BUCHANAN STREET BETWEEN SACRAMENTO AND WASHINGTON STREETS.

Robert Passmore, Planner V (Zoning), reported on this matter as follows:

"This referral is in connection with proposed changes to Buchanan Street to fulfill Condition 6 of City Planning Commission Resolution No. 675 approving the Pacific Medical Center Master Plan. Condition 6 requires that:

'The hospital shall install and provide maintenance for appropriate street improvements to control and visually screen traffic generated by the Pacific Medical Center in a manner compatible with the adjacent residential neighborhoods as deemed necessary by the Department of City Planning in consultation with the Department of Public Works and property owners along streets leading to the Medical Center. Such improvements may include a cul-de-sac at the intersection of Clay and Buchanan Streets, the necking-down of street intersections or reduction of street pavement width along Buchanan Street between Sacramento and Washington Streets, reduction in street pavement width or a cul-de-sac at the intersection of Clay and Webster Streets, and substantial landscaping of street areas adjacent to the Medical Center.

"The basic street treatment consists of a five-foot wide landscaped center island in Buchanan Street between Sacramento and Clay Street and

between Clay and Washington Street, and a 16-foot diameter landscaped traffic circle at the intersection of Clay and Buchanan Streets. The proposed landscaped islands and circle are for the purpose of providing a visual screen between the Medical Center and the residences on the east side of Buchanan Street, and combined with possible future traffic barriers to direct traffic away from those residences. The islands and circle can be installed without action by the Board of Supervisors; however in order to provide sufficient width for moving traffic lanes and taxi and passenger zones. The existing sidewalk on the west side of Buchanan Street must be narrowed from 15 feet to 0 feet for a portion of the walk between Sacramento and Clay Streets, and from 15 feet to 8.75 feet for a portion of the walk between Clay and Washington Streets. Where the sidewalk would be narrowed to 0 feet it is proposed to swing the existing walk onto land owned by the Medical Center. This sidewalk narrowing requires approval by the Board of Supervisors.

"The proposed sidewalk narrowing permits 20-foot wide traffic lanes on each side of the proposed landscaped center islands, a 50-foot long passenger zone at the intersection of Buchanan and Clay Streets, and a 100-foot long taxi zone between Sacramento and Clay Streets.

"Also proposed in the subject referral is a water outlet for watering street trees at the southeast corner of the new Presbyterian Hospital.

"In order for the proposed landscaped center islands to be acceptable to the Fire Department, normal curb parking must be prohibited. Presently, few curb parking spaces exist along Buchanan Street between Sacramento and Washington Streets due to the extensive frontage occupied by Pacific Medical Center on the west side of Buchanan Street, and numerous curb cuts for private driveways on the east side of Buchanan Street.

"Not part of the present proposal, but requiring eventual Board of Supervisors approval to be effectuated, is the request of residents in the vicinity of the Medical Center to prohibit normal vehicular traffic movement between Clay and Buchanan Streets, and to close Buchanan Street to normal through vehicular traffic between Clay and Washington Streets. The purpose of such traffic barriers would be to further fulfill Condition 6 of Resolution No. 6759 by diverting traffic generated by the Medical Center away from the residential areas immediately east and north of the Center."

Allan B. Jacobs, Director of Planning, recommended that the sidewalk narrowing be approved as in conformity with the Master Plan.

Richard Garlinghouse, Vice-President of the Pacific Heights Neighborhood Council, stated that the members of his organization were very much in favor of the sidewalk narrowing. He requested, however, that the Commission establish a definite time limitation for resolution of the issue of the barricades.

Mrs. Arthur Bloomfield, a member of the Pacific Heights Neighborhood Council, stated that she, also, was in favor of the sidewalk narrowing; however, in order to expedite installation of the traffic barriers, she hoped that the Commission would also take action to approve that project in principle during the present meeting. She stated that the new hospital building had just opened; and, in order to accustom people to seek access to the hospital from Sacramento Street rather than from quieter residential streets in the area, she felt that the traffic barriers should be installed as quickly as possible.

The Director stated that the issue of the traffic barriers had not yet come before the Commission as a referral matter.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the proposed revocable encroachment permit for a taxi zone, passenger zone, sidewalk narrowing and a water outlet, all on the west side of Buchanan Street between Sacramento and Washington Streets - as shown on drawings by Stone, Marraccini, and Patterson, dated March 2, 1973, and revised March 12, 1973, (sheets B-1 and B-2) submitted with the subject referral, is in conformity with the Master Plan.

CU73.6 - 2323 AND 2327-29 SACRAMENTO STREET, SOUTH LINE, APPROXIMATELY 172' EAST OF WEBSTER STREET.

REQUEST FOR INCLUSION OF PROPERTY IN THE MASTER PLAN FOR PACIFIC MEDICAL CENTER AND TO PERMIT CONVERSION OF THE EXISTING CONVALESCENT HOSPITAL TO A PSYCHIATRIC CARE CENTER.

(Under advisement from meeting of March 1, 1973)

Robert Passmore, Planner V, (Zoning) noted that this matter had been discussed by the Commission during its meeting of March 1, 1973. He stated that the applicant's request was two-fold. First, the Pacific Medical Center wished to receive permission to convert the former convalescent hospital at 2323 Sacramento Street for psychiatric out-patient care. The building is already being converted to psychiatric in-patient care since conditional use authorization is not required for that purpose. The second request was for inclusion of the property occupied by the convalescent hospital, as well as adjacent property occupied by an apartment house, in the Master Plan for the Pacific Medical Center.

Allan B. Jacobs, Director of Planning, remarked that the Commission had heard from both the proponents and the opposition during the meeting on March 1; and, as a result, he felt that it would be appropriate for the Commission to receive his recommendation before proceeding with the current hearing. He recommended that both aspects of the applicant's request be disapproved. He stated that the general

intent of the resolution previously adopted by the Commission concerning future expansion of the Pacific Medical Center was to allow further expansion only when it was demonstrated that such expansion would be required because of space needs beyond that provided for under the original authorization; and, in addition, it was intended that further expansion should be towards Fillmore Street. He stated that the medical center had presently completed only a very small portion of the total development permitted under the Commission's previous authorization; and he noted that the proposed expansion of land area is not truly in the direction of Fillmore Street. While use of the former convalescent hospital for in-patient psychiatric treatment would meet an immediate space need of the Pacific Medical Center which has no other practical solution, he felt that the Medical Center had not demonstrated a sufficient public need for moving the existing out-patient psychiatric facilities from the medical center complex to the former convalescent hospital. Furthermore, he felt that the proposed out-patient use would increase the amount of pedestrian and vehicular traffic in the area to the detriment of the present livability of nearby existing dwellings on the south side of Sacramento Street. Therefore, he recommended that a draft resolution which he had prepared for disapproval of the application be adopted by the Commission.

Commissioner Fleishhacker asked if he were correct in understanding that the former convalescent hospital could continue to be used for in-patient psychiatric care indefinitely without conditional use authorization. The Director replied in the affirmative.

Commissioner Fleishhacker then asked if the Commission could grant conditional use authorization for use of the former convalescent hospital for out-patient psychiatric care for a limited period of time. The Director replied in the affirmative.

Commissioner Porter remarked that everyone is familiar with recent developments within the field of mental health; and she was convinced that there is a definite need for an out-patient mental health clinic at the Pacific Medical Center. She acknowledged that the resolution which had previously been adopted by the Commission had encouraged further expansion of the Pacific Medical Center towards Fillmore Street; however, she remarked that that action had been taken before the City-wide height and bulk ordinance had been adopted, placing a 40-foot height limit on properties west of Fillmore Street and making it difficult for the Pacific Medical Center to expand in that direction.

Clifford Schwarberg, Jr., President of the Pacific Medical Center, Inc., felt that the comments which had been made by Commissioner Porter revealed that she had an insight into the matter; and he indicated that he had been shocked by the Director's recommendation for disapproval. He felt that the psychiatric care program which had been outlined in the original Master Plan for the medical center had not been thoroughly analyzed by the staff of the Department of City Planning; and he advised the Commission that that program had been endorsed by concerned area-wide groups as necessary, innovative, and creative. He stated that the original plan of the medical center had been to consolidate its mental health programs

in the Stanford Building; however, because of recent earthquake requirements established by the State, in-patient psychiatric care cannot be housed in that building. Therefore, the medical center had proposed to move both in-patient and out-patient psychiatric care services to the Pacific Heights Convalescent Hospital building. He did not feel that separation of the out-patient and in-patient care in different buildings would be in the best interest of the patients nor in the best economic interests of the medical center. He stated that the program which the medical center was pursuing was essentially the same as that which was outlined in the original Master Plan which had been approved by the Commission; and he recalled that the resolution which had previously been adopted by the Commission had specified that future expansion of the medical center should be to the south and south-west. He urged that the application now before the Commission for consideration be approved in its entirety.

During the course of Mr. Schwarberg's statement, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

The Director stated that the resolution which had previously been adopted by the Commission had specified that further expansion of the medical center should be to the west and south-west and not to the south and south-west as indicated by Mr. Schwarberg.

Commissioner Fleishhacker inquired about the medical center's plans for the Stanford Building. Mr. Schwarberg replied that the Stanford Building has an estimated life of approximately six years before major structural alterations or replacement will be necessary; and he indicated that it would be used for shops and other auxillary services during the interim period.

Commissioner Fleishhacker asked if the medical center's long range Master Plan contemplates use of the subject property for psychiatric services. Mr. Schwarberg replied in the negative and indicated that he hoped that the psychiatric services could eventually be moved back into the original boundaries authorized by the Commission.

Commissioner Fleishhacker then asked if the former convalescent hospital would be abandoned by the medical center if space were available within the original boundaries for the psychiatric services. Mr. Schwarberg replied that the building would no longer be used for psychiatric in-patient and out-patient care under those circumstances.

Commissioner Rueda asked if the medical center wished to have the Commission approve use of the former convalescent hospital for psychiatric out-patient care on a permanent basis or if it would be satisfied with a limited authorization for a specific number of years. Mr. Schwarberg stated that he would be prepared to accept approval for a limited period of time with options for an extension if that were the only way to obtain the Commission's approval of the application.

President Newman asked why the medical center had not requested inclusion of the subject property in its Master Plan when the matter was previously being considered by the Commission. Mr. Schwarberg replied that the property was not available at that time. He emphasized, however, that the Commission had approved the medical center's psychiatric care program; and, since that program could no longer be housed in the Stanford Building, it would be necessary to move it into the building on the south side of Sacramento Street. In response to a further question raised by President Newman as to the probable reaction of the medical center if the subject application were to be disapproved by the Commission, Mr. Schwarberg stated that the medical center would try to continue its psychiatric program; but he doubted that the program would be very effectual under such circumstances.

Commissioner Mellon stated that he is involved in the field of mental health care; and he felt that disapproval of the subject application would harm the Pacific Medical Center's mental health program. He felt that the application should be approved at least on a temporary basis; and he wondered if approval for five years would be satisfactory to the medical center. Mr. Schwarberg replied that five years would provide enough time for the medical center to do more detailed planning and to prepare a better time-table for future building activity.

Commissioner Fleishhacker asked what type of building the medical center plans to construct next. Mr. Schwarberg replied that the medical office building, which was previously reviewed by the Commission, would be the next building to be constructed. Subsequently, a building would probably be constructed at the corner of Sacramento and Webster Streets; and he felt that it was possible that that building could house the medical center's psychiatric program.

Commissioner Fleishhacker observed that some members of the Commission, as well as residents of the subject neighborhood, were opposed to expansion of the Pacific Medical Center beyond the boundaries stipulated in the previously approved Master Plan, except on a temporary basis; and he wondered if it would be possible for the medical center to agree that any new construction within the original boundaries would include the space needed for psychiatric services unless an alternate approach were to be specifically approved by the Commission. Mr. Schwarberg replied that he could not give a positive answer without giving more thought to the matter; however, if use of the former convalescent hospital for psychiatric services were to be approved at the present time, he would have no objection to reviewing the situation with the Commission at some specific time in the future.

Commissioner Porter remarked that Lane Library, which is owned by the Pacific Medical Center, is on the south side of Sacramento Street; and she noted that it was included in the Master Plan which had previously been approved by the Commission. Under the circumstances, she did not object to inclusion of the subject properties within the Master Plan, also. If the property had been vacant, and if the medical center had been proposing to construct a new building on the site, she might have felt differently; however, if the former convalescent hospital building were not to be used by the medical center, which is a responsible organization, it might attract a use which would be more detrimental to the neighborhood than the one being proposed.

Richard Garlinghouse, representing the Pacific Heights Neighborhood Council, stated that his organization wished to support the medical center's request to use the former convalescent hospital for psychiatric out-patient services, providing that the authorization would be limited to a specific period of time; however, because approval of the request to include the two additional properties in the medical center's Master Plan would imply that the Commission looked favorably on such expansion, they hoped that that part of the application would be disapproved.

Mrs. Arthur Bloomfield, a member of the Pacific Heights Neighborhood Council, supported the position which had been expressed by Mr. Garlinghouse. She remarked that inclusion of the additional parcels of property in the medical center's Master Plan would seem to imply that the medical center would have a right to construct new buildings on the properties; and she indicated that she was very upset by that proposal. She also remarked that properties which had been acquired by the University of California Medical Center had been allowed to deteriorate pending new development; and she feared that the same thing might transpire if the subject properties were to be included in the Pacific Medical Center's Master Plan. She stated that she had moved into the neighborhood in 1958; and she advised the Commission that the Pacific Medical Center had acquired a great deal of property during the interim. Under the circumstances, she felt that new construction by the medical center should be kept within the Master Plan boundaries which had previously been approved by the Commission.

The Director sensed that the Commission might wish to approve the subject application in part to allow use of the former convalescent hospital for out-patient psychiatric care for a limited period of time, probably a five year period; and, if that were the case, he indicated that the staff could draft appropriate conditions for consideration by the Commission. The conditions could specify the specific length of time for which the authorization would be valid; and they could specify that the authorization would be for 30 in-patient beds and 50 out-patient appointments daily.

Commissioner Porter questioned whether the Commission should presume to have the expertise to establish limitations on the number of in-patient beds and out-patient calls which would be permitted. The Director responded that the figures which he had cited were those which had been requested by the medical center.

Mr. Schwarberg confirmed that the medical center had specified that 30 beds would be provided for in-patient care. In addition, however, he estimated that the medical center's program could accommodate approximately 55 day-treatment patients and 30 out-patient calls per day, possibly with some juggling between the two categories.

Commissioner Mellon observed that some of the out-patients would be likely to come to the facility without an appointment; and, under the circumstances, it would be difficult for the medical center to limit daily calls to a specific number.

Commissioner Fleishhacker felt that it would not be wise to place a specific limitation on anything other than the number of beds which would be permitted. He remarked that the Commission's authorization would not permit the medical center to expand the building; and he observed that it would not be possible for the medical center to operate the facility properly if it were to become overcrowded. Under the circumstances, he felt that the medical center would take whatever steps are necessary to control the number of patient calls. He moved that the application be approved in-part to permit use of the former convalescent hospital for out-patient care and for 30 in-patient beds for a period of five years subject to a proviso that those services should be moved within the boundaries of the original Master Plan within that time if space should become available. His motion also called for disapproval of the part of the application requesting expansion of the boundaries of the Master Plan.

The motion was seconded by Commissioner Porter.

When the question was called, the Commission voted unanimously to adopt Resolution No. 6994 and to disapprove the application in-part and to approve the application in part subject to the conditions which had been suggested by Commissioner Fleishhacker.

ZM73.12 - NIHONMACHI AREA: SUTTER STREET, NORTHWEST CORNER OF BUCHANAN STREET. R-4 TO A C-2 DISTRICT.

CU73.8 - BUCHANAN STREET, WEST LINE, 90 FEET SOUTH OF BUSH STREET.

REQUEST FOR AUTHORIZATION FOR AN UNDERGROUND PARKING GARAGE TO BE DEVELOPED AS PART OF THE NIHONMACHI COMMUNITY DEVELOPMENT PROJECT: IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject properties. He indicated that both of the properties are owned by the San Francisco Redevelopment Agency which had requested that the property located at the northwest corner of Buchanan and Sutter Streets be rezoned from R-4 to C-2 to allow construction of a nine story, one hundred twenty room Japanese hotel. The companion application requested conditional use authorization to construct a parking garage with 43 parking stalls having access from Sutter Street as part of the proposed development of the adjacent one hundred twenty room hotel. The garage would provide off-street parking for the Nihonmachi Community Development Project and would meet the requirement of the proposed hotel which is a part of that project. Conditional use authorization for the garage would be necessary because a portion of the garage would be located in an R-3 District.

William Rosso, representing the Redevelopment Agency, urged that the subject applications be approved in order to bring the zoning of the property into conformity with the Redevelopment Plan and to permit construction of the proposed project.

President Newman asked if the proposed hotel would be part of the Miyako Hotel. Mr. Rosso replied in the negative but indicated that the project would be undertaken by the same developer.

Allan B. Jacobs, Director of Planning, recommended that application ZM73.12, requesting reclassification of the property at the northwest corner of Buchanan and Sutter Streets from R-4 to C-2, be approved.

Commissioner Fleishhacker asked if the proposed reclassification of the subject property could be considered to be an extension of the commercial zone across the street rather than a "spot zone". The Director replied in the affirmative.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6995 be adopted and that application ZM73.12 be approved.

The Director then recommended that application CU73.8 be approved subject to four specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6996 be adopted and that application CU73.8 be approved subject to the conditions which had been recommended by the Director.

S73.1 - 3906-3913 JUDAH STREET, NORTHWEST CORNER OF 44TH AVENUE.
REQUEST FOR REMOVAL OF AN 8-FOOT SETBACK ALONG THE 44TH
AVENUE FRONTAGE OF THE SUBJECT PROPERTY.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is located in a C-1 district and which has an 8-foot front setback on the 44th Avenue frontage commencing 25 feet north of the north line of Judah Street and extending northward 25 feet to the north line of the subject property. The property is presently occupied by a restaurant and a variety store; and the owner of the property had requested that the setback be removed.

Sam Welling, the applicant, stated that the setback area is nothing but a garbage trap at the present time; and he remarked that one does not see any setbacks in the Geary Boulevard commercial area.

Commissioner Fleishhacker asked if Mr. Welling had plans to remodel or to replace the existing buildings; and, when he received a negative answer, he remarked that the setback area would continue to exist in its present state even if the legal requirement for the setback were removed.

Mr. Welling stated that his tenants had expressed a desire for more room; and he felt that it was possible that the building might be expanded if the Commission were willing to remove the requirement for the setback. No one else was present to speak in favor of or in opposition to the subject application.

Allan B. Jacobs, Director of Planning, recommended that the application be disapproved. He stated that all of the properties on the west side of 44th Avenue in the subject block have a 12-foot setback except for the subject property; and he felt that the existing 8-foot setback on the subject parcel contributes to the sense of openness in the block. He stated that the urban design element of the Master Plan recommends maintenance of existing setbacks and street spaces; and he emphasized that the applicant had not shown any public necessity for removal of the setback or any compensating benefit which would result.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 6997 be adopted and that the application be disapproved.

CU73.7 - 239 SADOWA STREET, SOUTH LINE, 380 FEET WEST OF CAPITOL AVENUE.
REQUEST FOR AUTHORIZATION FOR A CHILD CARE CENTER FOR A MAXIMUM
OF 25 PRE-SCHOOL CHILDREN WITHIN THE EXISTING BUILDING; IN AN
R-1 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has one hundred feet of frontage on Sadowa Street and a uniform depth of one hundred twenty five feet for a total area of 12,500 sq. ft. The property is occupied by a vacant single family dwelling which was formally used as a school. The applicant proposed to convert the building to a child care center for no more than twenty-five children, ages 2 through 7 years, during the hours of 6:00 a.m. to 6:00 p.m. Approximately 8,933 square feet of available play area would be available, excluding the 468 square feet of open space in the front yard. No off-street parking had been proposed.

Mrs. Stella Storey, the applicant, indicated that she was present to answer any questions which might be raised by members of the Commission.

No one else was present in the audience to speak in favor of or in opposition to the subject application.

Allan B. Jacobs, Director of Planning, recommended that the application be approved subject to eight specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission.

President Newman asked if the conditions which had been recommended by the Director would be satisfactory to the applicant. Mrs. Storey replied in the affirmative. President Newman then asked what fees the applicant proposed to charge. Mrs. Storey stated that she proposed to charge approximately \$20.00 per child per week.

Commissioner Farrell inquired about the size of the staff which would be available for the child care center. Mrs. Storey replied that she planned to have a staff of four people.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 6998 be adopted and that the application be approved subject to the conditions which had been recommended by the Director.

CU73.11 - 175 BAYSHORE BLVD., EAST LINE, 528 FEET SOUTH OF JERROLD AVENUE.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION
CONSISTING SOLELY OF THE TEMPORARY STORAGE OF INOPERABLE VEHICLES
AS PART OF A TOW SERVICE OPERATION; IN AN M-1 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular lot having frontages of 60 feet on Bayshore Boulevard and Barneveld Avenue and a depth of 235 feet for a total area of 14,100 square feet. The property is presently used by a towing service for storage for inoperable vehicles; and he indicated that the applicant was requesting authorization for continuation of the same use.

James Hatfield, attorney for the applicant, stated that his client does not conduct any automobile wrecking or dismantling on the site; and the wreckers license which he holds is used only to facilitate the technical purposes of registration of vehicles with the Department of Motor Vehicles. Under the circumstances, he had disagreed with the staff that conditional use authorization for the use would be necessary; however, he had decided that it would be cheaper to pay the fee required for the subject application than to argue further with the staff.

Mrs. Andrew Gallagher, representing the Southern Promotion Association, urged that the application be approved.

Jack Dorsey, representing the San Francisco Automobile Dismantlers Association, stated that it was the position of his organization that no new dismantling licenses should be issued in San Francisco until the dismantlers who were dislocated from the Butchertown area have been able to re-establish their businesses.

Another member of the Automobile Dismantlers Association who was present in the audience supported the position which had been stated by Mr. Dorsey.

Allan B. Jacobs, Director of Planning, advised Mr. Dorsey that the Department of City Planning does not issue dismantling licenses; and he indicated that conditions which were contained in a draft resolution of approval which had been prepared by the staff of the Department of City Planning would specify that no dismantling of vehicles on the subject site would be authorized. He distributed copies of the draft resolution to members of the Commission; and, after summarizing the conditions, he recommended that it be adopted.

President Newman asked if the conditions which had been recommended by the Director would be acceptable to the applicant.

Mr. Hatfield replied that he had misgivings about Condition No. 4 which would specify that four street trees should be provided in the sidewalk area on the Bayshore Boulevard frontage of the property since he felt that the trees, when planted, would soon be dead. After questions had been raised by members of the Commission, Mr. Hatfield clarified his remark by indicating that he had not been referring to maintenance problems but to the fact that the trees would probably be vandalized by people in the area.

President Newman stated that he was most concerned about Condition No. 2 which specified that no storage of towed vehicles would be permitted in the adjacent streets or on the median island on Bayshore Boulevard. He indicated that five automobiles had been parked on the median strip when the Commission had taken a field trip to the site; and he felt that it was important that the applicants should agree to stop that practice. Mr. Hatfield replied that he could state categorically that the automobiles which the Commission had seen did not belong to his client; and he indicated that his client had called the Police Department requesting that the automobiles be removed.

The Director stated that members of the staff of the Department of City Planning had observed cars being parked on the median strip by tow trucks owned by the applicant; and, in addition, they had seen the applicant's employees working on those vehicles.

Commissioner Rueda stated that it was his impression that the applicant could not operate the business without a wrecking permit; and, under the circumstances, he did not feel that the staff of the Department of City Planning had been arbitrary in determining that a conditional use authorization would be necessary. Mr. Hatfield stated that his client could operate without the wreckers license; however, he indicated that the wrecker's license does facilitate matters.

Commissioner Fleishhacker suggested that the applicant could probably not operate his business the way he wants without the permit. Mr. Hatfield agreed.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Farrell, and carried unanimously that Resolution No. 6999 be adopted and that the application be approved subject to the conditions which had been recommended by the Director.

CU73.10 - 415 SANSOME STREET, SOUTHWEST CORNER OF COMMERCIAL STREET.
REQUEST FOR AUTHORIZATION FOR A PARKING LOT FOR 12 AUTO-
MOBILES IN A C-3-0 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with frontages of 60 feet on Sansome Street and 82.5 feet on Commercial Street for a total area of 4,950 square feet. He stated that it is presently occupied by a one story office building with a basement below grade; and he indicated that the applicant proposed to provide a 12 car, street level,

parking lot on the site. He stated that conditional use authorization is necessary for parking lots in all C-3 zoning districts; and he advised the Commission that the staff of the Department of City Planning had determined that the proposed parking lot could not have a significant effect on the environment and had filed a negative declaration.

James Winterstein, architect for the applicant, stated that the existing building, which rests on rotten wood piles, will have to be torn down; and he indicated that his client wished to develop the property with a surface parking lot as a temporary facility for a period of five or ten years. He stated that he would attempt to design the facility so that it would be usable for his client as well as attractive to passersby; and he stated that he would be willing to conform to any conditions which might be recommended by the staff of the Department of City Planning.

Mr. Steele recommended that the application be approved subject to seven specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Winterstein replied in the affirmative.

Commissioner Fleishhacker stated that he was concerned about the appearance of the walls of adjacent buildings after the building existing on the subject site has been demolished. Mr. Winterstein replied that he planned to paint or sandblast the exposed walls.

President Newman asked if the proposed parking lot would be used exclusively by tenants of adjacent office buildings or if it would be open to the general public. Mr. Winterstein replied that the lot would probably be open to the general public if a sufficient number of monthly tenants cannot be found.

Commissioner Farrell asked if an attendant would be on duty in the parking lot. Mr. Winterstein replied that an attendant would be on hand part of the time.

Commissioner Mellon, noting that there are a number of restaurants in the area, asked if the proposed parking lot would be open at night. Mr. Winterstein replied that he felt that it was likely that the parking lot would be open at night.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7090 be adopted and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU73.9 - BART VENTILATOR SHAFT STRUCTURE AND PLATFORM EAST OF THE FERRY BUILDING: 500 FEET EAST OF THE EMBARCADERO ON THE LANDS OF THE SAN FRANCISCO PORT COMMISSION.

REQUEST FOR AUTHORIZATION FOR A RESTAURANT ONE STORY IN HEIGHT ABOVE THE EXISTING BART VENTILATOR SHAFT: IN A C-2 DISTRICT AND IN THE NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 1.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that the BART platform projects 490 feet eastward from the Ferry Building and is 188 feet wide at its outer side and 320 feet wide at the point where it abuts the Ferry Building. Access to the platform is provided by a 50-foot wide access way along the south side of the Ferry Building. He stated that the applicants proposed to construct a 7,545 square foot restaurant with a seating capacity of 200 persons to be located above the BART ventilator structure. In addition, some landscaping improvements were being proposed to facilitate use of the platform area as a pedestrian mall. He advised the Commission that the staff of the Department of City Planning had determined that the proposal could not have a significant effect on the environment and that it had filed a negative declaration.

John Sue, a landscape architect, displayed and described the site plan which had been prepared for the two and one-half acre platform. He stated that work on the proposal had been coordinated with the Bay Conservation and Development Commission, BART, and the Department of City Planning; and each of those agencies had seemed to favor the project and to feel that a positive open space would result. He also described elevations of the proposed restaurant building.

Commissioner Porter asked if the landscaping which was being proposed would survive, given the climatic conditions of the subject site. Mr. Sue replied that the soil conditions would be more difficult than the climatic conditions, since the site is on a platform. However, he indicated that he had had considerable experience with roof-top gardens; and he was confident that planting materials could be chosen which would thrive on the platform.

President Newman asked who would be responsible for maintaining the proposed plaza. Mr. Sue replied that the Port of San Francisco would be responsible for negotiating an agreement with the City or with outside contractors for maintenance of the plaza. The developers would have no responsibility in that regard.

Ed Sue, an architect, referred to renderings to describe the relationship of the proposed structure to other buildings in the area as seen from various vantage points. He stated that the restaurant would have a seating capacity of 200 to 220 persons; and he felt that the building would enhance its environment.

President Newman, noting that no parking was shown on the plans, asked if valet parking would be provided for the restaurant's customers. Mr. Sue replied in the affirmative, stating that the developers had reached an agreement with the Port to make as much of the platform available for pedestrian use as possible. In reply to a further question raised by Commissioner Rueda, his brother stated that

they were working with the Port Commission to find an appropriate place to park the automobiles.

Commissioner Rueda asked if the BART ventilator structure would create a great deal of noise. Mr. Sue replied that he was competent that the noise could be overcome in the design of the building.

Toby Rosenblatt, a member of the Citizen's Waterfront Committee, stated that her committee had been involved in early stages of planning for the proposed project; and she observed that all of their recommendations had been incorporated in the plans which were before the Commission. She stated that they had urged that no parking be provided on the platform so that maximum potential would be realized for pedestrian use; and she indicated that the only concern remaining was that adequate landscaping be installed and that it be properly maintained.

No one was present to speak in opposition to the application.

Allan B. Jacobs, Director of Planning, recommended that the application be approved subject to five specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the Director were acceptable to the applicant. Mr. Sue replied in the affirmative.

Commissioner Rueda emphasized that Condition No. 3 of the draft resolution specified that all landscaping shall be continuously maintained in a healthy attractive condition and that defective, damaged or lost trees or plants should be replaced whenever necessary.

Commissioner Fleishhacker, noting that Condition No. 1 specified that the authorization would be for a restaurant with a seating capacity of 200 persons, suggested that the words "approximately 200 persons" would be more appropriate. The Director agreed to that change.

President Newman asked if the Port Commission has funds available for installation of the landscaping. Mr. Thiemann, representing the Port Commission, stated that no funds are available at the present time; however, he indicated that the matter will be taken into consideration in the Port Commission's next budget.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the draft resolution adopted as City Planning Commission Resolution No. 7001 and that the application be approved subject to the conditions which have been recommended by the Director.

At 3:40 p.m. President Newman announced a 10-minute recess. The Commission reconvened at 3:50 p.m. and proceeded with hearing of the remainder of the agenda.

EE-110 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT FOR 603 UNIT
APARTMENT COMPLEX WITH ACCESSORY COMMERCIAL FACILITIES
PROPOSED ON PROPERTY LOCATED ON THE EAST SIDE OF TELEGRAPH
HILL.

Robert Passmore, Planner V (Zoning), summarized the contents of the environmental impact report and indicated that it had been available for public inspection in the offices of the Department of City Planning for 30 days.

John Griffin, Executive Vice-President of the Alpha Land Company, stated that members of his staff were present to answer any questions which might be raised by members of the Commission concerning the Environmental Impact Report.

Edith Witt, Housing Representative of the Human Rights Commission, pointed out that the Environmental Impact Report indicated that the proposed project will have a slight adverse effect in that it will contribute to economic and racial segregation of the City's population because it will not provide dwelling units for low or moderate income families; and she asked the Commission to request the applicant to submit alternate plans which would provide an economic mixture of dwelling units which would result in a racial mixture within the project.

Michael Merrill, representing the owners of an adjacent parcel of property, questioned the completeness of the report relative to potential slide problems.

Richard Decker, representing the Northern Waterfront Artists Committee, expressed concern that the report did not address itself to the problem of relocating the artists who now live or work in buildings in the area.

Allan B. Jacobs, Director of Planning, remarked that most of the comments which had been made by Miss Witt had been reflected in the report; however, he suggested that the draft of the report be amended by addition of a statement to the effect that the project would not add to the home-ownership ability of minority and low income people. He stated that the matter of potential slide problems had been covered in the report; and, since conditional use authorization would be required for the project, the Commission could establish conditions which would assure that the property owned by Mr. Merrill's clients would be protected. He stated that he did not understand the remarks which had been made by Mr. Decker insofar as the building which is to be removed has been condemned and could not be occupied legally. He felt that the comments which had been made, and the modification which he had proposed in the draft report, did not constitute a significant revision in the report; and, therefore, he recommended that the report, as amended, be certified as complete and that the Commission find that the project, as proposed, would not have a significant effect on the environment. He distributed copies of the draft resolution which he had prepared for consideration by the Commission and recommended its adoption.

Commissioner Fleishhacker objected to the language of the last resolve of the draft resolution which read as follows: "Resolved, that the Commission, as the body which will decide whether to carry out or approve the project, has taken said final Environmental Impact Report into consideration before deciding whether to carry out or approve the project, and does hereby signify such consideration by adopting said report."

After discussion the Commission requested that the resolve which Mr. Fleishhacker had mentioned be deleted from the draft resolution.

Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Ritchie and carried unanimously that the draft resolution, as amended, be adopted as City Planning Commission Resolution No. 7002.

Later in the meeting, the Director advised the Commission that the language of the last resolve of the draft resolution would have to be included in the resolution adopted by the Commission to satisfy the requirements of State law. Commissioner Fleishhacker then requested that the record show him as voting "No" on adoption of the resolution.

CU73.12 - EAST SIDE OF TELEGRAPH HILL, AREA GENERALLY BOUNDED BY CHESTNUT, SANSOME AND GREENWICH STREETS.
REQUEST FOR AUTHORIZATION FOR APPROXIMATELY 603 DWELLING UNITS WITH ACCESSORY COMMERCIAL FACILITIES IN FOUR- TO NINE-STORY BUILDINGS, SOME OF WHICH EXCEED BULK LIMIT; IN A C-2 DISTRICT, IN NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 3, AND IN HEIGHT AND BULK DISTRICTS 84-E, 65-X AND 40-X.

Robert Passmore, Planner V (Zoning), referred to land use and zoning maps to describe the subject property which has a total area of 5,931 acres in three blocks. He stated that the proposed planned unit development would consist of apartment buildings containing approximately 603 dwelling units and ground-level accessory commercial space. The proposed buildings would range from four- to nine-stories in height. The higher buildings would exceed the building bulk limitation applicable under the 84-E height and bulk district. Conditional use authorization would be required for the project because the site consists of more than three acres in Northern Waterfront Special Use District No. 3 and because the higher buildings would exceed the applicable building bulk limitation.

John Griffin, Executive Vice-President of the Alpha Land Company, stated that the proposed project would be a condominium development with units selling from \$30,000 to \$70,000; and he assured the Commission that it would be of an extremely high quality. He felt that their architects had produced a most creative and imaginative design for living on the waterfront. He advised the Commission that each of the three phases of the project would be built in subsequent years; and he indicated that each phase would have its own home-owners association which would be responsible for maintenance. The individual owners would have the title to

their own units and would share in ownership of the common areas. While it was true that the project would not accommodate low income people, it would provide dwelling units for moderate income people who have been departing from the City because they cannot find suitable homes at prices they can afford.

Commissioner Porter, noting that building costs have been rising steeply, asked if the developers would really be able to provide housing at the prices which had been quoted. Mr. Griffin replied that he hoped that the prices would not have to be raised; however, he could not predict what would happen in the future.

Henrick Bull and John Field, architects for the applicant, displayed and described preliminary and final site plans for the project and referred to renderings to explain how the project would relate to the form of Telegraph Hill and to other buildings in the area.

Commissioner Fleishhacker asked the architects if they felt that a better design could be achieved by exceeding the bulk limits applicable to the subject property. Mr. Field replied in the affirmative, stating that he had been able to provide approximately 50% more open space throughout the project than he would have been able to provide if he had adhered strictly to the bulk limits. In addition, he had been able to vary the height of the building to accommodate existing buildings on Telegraph Hill.

No one was present to speak in opposition to the application.

Allan B. Jacobs, Director of Planning, recommended that the application be approved subject to thirteen specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which have been recommended by the Director would be acceptable to the applicant. Mr. Griffin replied in the affirmative.

President Newman stated that he had received a letter from Commissioner Ritchie stating that he was very much in favor of the proposed development which he regarded as an excellent solution to a problem area of long standing; and he hoped that it would be approved.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7003 and that the application be approved subject to the conditions which had been recommended by the Director.

At 4:55 p.m. President Newman announced a two-minute recess. The Commission reconvened at 4:57 p.m. and proceeded with hearing of the remainder of the agenda.

APRIL 5, 1973

ZM73.8 - INNER RICHMOND DISTRICT, MOUNTAIN LAKE AREA: ALL PROPERTIES FRONTING ON LAKE STREET BETWEEN FUNSTON AVENUE AND ARGUELLO BLVD. AND ALL THE PROPERTIES FRONTING ON THE NUMBERED AVENUES BETWEEN SECOND AVENUE AND FUNSTON AVENUE NORTH OF THE LOTS FRONTING ON CALIFORNIA STREET.
R-4 and R-3 TO AN R-2 DISTRICT.

Commissioner Porter stated that she believed that reduction of zoning for the purpose of preserving the character of existing neighborhoods is of major importance to San Francisco; and she felt that the subject neighborhood is a very special area which should be preserved. If she were not a property owner in the area, she would be inclined to vote in favor of the requested re-zoning; however, in view of the fact that she does own property in the area, she felt that she had to disqualify herself from voting on the application.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject properties which consist of 485 separate parcels having a total area of approximately 32.06 acres. Most of the properties are presently zoned R-3; however, some of the properties are zoned R-4. Out of the total of 485 parcels, 195 (40%) are developed with single family homes; 184 (38%) are developed with duplexes; 40 (8.2%) are developed within R-3 permitted densities; 15 (3%) are developed within R-3.5 permitted densities; and 46 (10%) are developed within R-4 permitted densities. In addition, two vacant parcels, one residential-commercial parcel, and two private institution parcels had been included in the application. He displayed a map which had been prepared by the staff of the Department of City Planning to indicate the zoning which would be required to reconstruct the existing buildings on a lot-by-lot basis. He stated that the application had been filed by a number of property owners in the area who were requesting that the properties be rezoned to R-2.

Jeff Johnson, representing the applicants, stated that their intentions in filing the application was two-fold. They were anxious to preserve the family-oriented environment of the neighborhood; and, in addition, they felt that the people living in a neighborhood should have a basic right to determine the destiny of the neighborhood. He stated that he owns two homes in the neighborhood and resides on 11th Avenue between Lake and California Street. He indicated that one of the attractions of the neighborhood is Mountain Lake Park; and, in addition, the many charming older homes in the area are attractive to young and industrious families. Lots in the area have a depth of 120 feet, leaving an average rear yard depth of 75 feet; and, as a result, approximately 150-feet of open space is available in the rear of buildings. He distributed photographs which he had taken from his house to demonstrate the attractiveness of the center of the block in one direction looking towards single family homes and the obtrusiveness of a new apartment building which is visible in a different direction. He also noted that last Sunday's newspaper had carried a walking tour of the Mountain Lake area; and he quoted excerpts from that article relating to the quality of the adjacent neighborhood, noting that it deteriorates quickly in three short blocks as one approaches Geary Boulevard. He felt that the Commission should be concerned about

encouraging middle-income families to remain in San Francisco, he believed that approval of the subject application would be a step in the right direction. He stated that a number of petitions had been submitted in support of the requested reclassification; and, in addition, he had several letters from people who were not able to attend the hearing but wished to indicate their support of the proposal. He stated that the advent of BART will encourage middle-income families to move to the suburbs; and he felt that San Francisco ought to offer incentives to keep middle-income families in the City. He advised the Commission that a meeting had been held by opponents of the application; however, it was his understanding that the meeting had been attended by only seven or eight residents and members of the San Francisco Real Estate Board. On the other hand, more than 650 people, including 355 property and 295 residents, had signed petitions in support of the application. He stated that there are 485 lots involved in the application; and the owners of 225 of those lots, and the residents of 105 additional lots, had endorsed the proposal. Thus, the owners or residents of 68% of the properties involved in the application were in favor of the reclassification. That information was shown graphically in a chart which he had prepared and which he displayed for the Commission. In addition, he stated that 36 property owners and 23 residents from outside of the immediate area affected by the application had expressed their support of the reclassification. In conclusion, he stated that the individuals who had filed the application were particularly concerned about avoiding additional apartment house construction on properties located on the north-side of Lake Street in the vicinity of Mountain Lake Park because such buildings would create a barrier between the community and the park.

Jonathan Bulkley read and submitted the following prepared statement:

"There has come a time in the life of this community where we feel we must stand and be counted. When we must act to preserve what we feel is right and when we must make our needs and opinions known to all who will listen.

"We feel that this time has come for the Mountain Lake Community. The time to be concerned with the quality of our environment and the time to give serious thought to the kind of life we want and the kind of community we want to live in it.

"We of the Mountain Lake Community believe that our neighborhood is close to ideal for a city dweller. We have a large number of family homes and flats with enough apartments to create a balanced community - relatively quiet streets - good transportation -- very little smog -- pleasant blocks with many trees -- though we admittedly need more -- we are close to beaches and to downtown and good shopping areas -- our traffic situation is vastly improved since the installation of stop signs on Lake Street -- but most important of all, we have the magnificent open and recreational space of MLP and the Presidio beyond.

"In short, this is an ideal family area -- one for children and pets -- one where families can live together and be happy and yet remain in the City. No one needs to spend half their life commuting from the MLC and no one has the problems of inconvenience and isolation that is accepted as part of suburban living.

"We believe that neighborhoods like the MLC are vital to the future of our city or any city. In an age when the flight of the middle class family to suburbia is leaving the cities with the very rich and very poor - the very young and the very old - the very successful and the failures of society - a community such as ours assumes great importance in the social and economic fabric of the city. Cities need the middle class family and middle class families must have stable child-oriented neighborhoods if they are to stay in the city. Its as simple as that.

"We feel that the Mountain Lake Community is being threatened by a wholesale destruction of its family housing stock - not much has happened as yet but we feel the time has come to protect and preserve our community and our way of life. We want to stabilize our neighborhood and though we are not opposed to change. We feel that change should come from within through remodelling & improvement of existing homes and apartments through improvements of streets of parks and traffic patterns - through improvements that we as a community can decide on and work together on -- rather than by change imposed upon us by outside builders and developers whose primary interest in our community is profit.

"We feel that the proposed downzoning to R-2 is a vital step in the preservation of our neighborhood. You have only to look at the buildings that are allowable and customary under R-3 and R-4 zoning that spring all over the city to see that they are completely out of scale both in size and appearance with the existing neighborhood pattern -- they are bigger, more massive, they block off the beautiful airy open interior of our blocks, their sparkling stucco fronts compete for attention. In short, not only are they ugly but in a roundabout way, they blight the neighborhood for when the only value of a home lies in the ground it stands on, there is very little incentive to paint or remodel the kitchen, or plant a tree. Knowing that all the effort and expense will be wasted and the work and care will soon fall under the blade of a bulldozer making way for yet another plastic apartment house.

"When the value of a house is for the house itself and not just the land, we will, I am sure see a renaissance of improvement which can be made with some reasonable reassurance that not only will we the homeowners enjoy the improvements but that we are also adding some reasonable value to our property.

"We are not opposed to the apartments already in our neighborhood - indeed we welcome them for the older people - our parents and grandparents - and for younger people and those who choose apartment living. We feel that they are vital for a balanced community. But we do not want to become another apartment ghetto - another Warren Drive, another Grandview Terrace or another Arguello Blvd.

"Commissioners

We have come to you today to ask for your help. We want to preserve our homes and our way of life. We feel that our problems are the problems of the city. We are part of the city and we hope that you will help us find a solution."

Commissioner Fleishhacker, noting that Mr. Bulkley had referred to "middle-income" families, asked how he would define that term. Mr. Bulkley replied that he regarded a middle-income family as one which is neither very rich nor very poor and not on public assistance but yet not having enough money available to live as they would like.

Arden Danekas, President of the Planning Area for the Richmond (PAR), stated that his organization is family-oriented. The members of the organization hoped to preserve the existing housing stock in their neighborhood; and they opposed conversion of existing buildings and construction of new apartment buildings. He stated that the policies of his organization had been circulated throughout the community; and he felt that they were representative of the views of the community. He believed that the reclassification presently being requested was supported by a large percentage of property owners and residents in the area; and he urged that the application be approved.

Joan Rockwell, a real estate agent, stated that she had moved her business from Downtown San Francisco to the Richmond district approximately one year ago. She stated that most of her clients are young families who are willing to pay between fifty thousand and eighty thousand dollars for a home; and she felt that it would be a shame if the disappearance of single family homes in the subject neighborhood were to continue. Furthermore, she did not feel that San Francisco's reputation for beauty has been based on its apartment buildings. Under the circumstances, she was thoroughly in favor of the request for reclassification of the subject properties to R-2.

President Newman remarked that members of the Commission had taken a field trip to the subject neighborhood; and, since he had seen very few "for sale" signs in the area, he assumed that the houses sell quickly.

Mrs. Rockwell stated that the last home which she had handled had sold within 24 hours.

James Ream, Chairman of the Planning Committee of the San Francisco Planning and Urban Renewal Association, quoted policies and principles from the Improvement Plan for Residence which specified that the City should preserve the quality and diversity of its residential communities and that it should adopt a neighborhood maintenance approach, placing the highest priority on rehabilitation of existing residential areas. He also noted that the Urban Design Plan had addressed itself to the need and value for preserving older residential buildings which give richness to the City, as well as a high quality of livability. He believed that the proposed rezoning would give encouragement to owners of single family homes in the subject neighborhood, just as a similar rezoning in the Haight Ashbury District had encouraged maintenance of existing buildings; and he emphasized that the proposed rezoning would give the Commission an opportunity to affirm its own policies and principles as stated in the Master Plan.

Mrs. Heintzen, 114 - 12th Avenue, stated that she and her husband had had to struggle to remain in their home; and she indicated that they were now confronted with a proposal for construction of an apartment house on the lot south of their property which would block the sun from their garden. She stated that they are elderly and that they derive most of their pleasure from their home and their garden; and she felt that the proposed apartment building would make their life miserable. She was also concerned about the fact that the prospective developer had advised her that he would construct a pair of flats the same size as the proposed apartment building if he were not allowed to build the apartments.

Edward Gleason, 114 - 10th Avenue, stated that a question had been raised previously regarding the definition of a middle-income family; and he regard his family as a perfect example of what one might refer to as a "middle-income" family. He stated that he has six children and an income of seventeen thousand dollars per year. He advised the Commission that most of the people leaving in his block are in approximately the same circumstances.

Commissioner Rueda asked if residents of the subject neighborhood would be willing to lend their support to construction of low-income, subsidized housing in their area.

Martin MacIntyre, former President of PAR, stated that the plan which his group had prepared for the Richmond district had called for construction of new low-income housing on a scattered-site basis. Commissioner Rueda doubted that low-income housing would ever be achieved in the area if the properties were rezoned to R-2 since subsidized housing usually requires a higher density to be economically feasible.

Jose Sevilla, 115 - 12th Avenue, stated that the purpose of the proposed reclassification was to prevent the demolition of existing buildings; however, if vacant property were available, he doubted that people would object to construction of low-income housing in their neighborhood. He stated that his wife had spent almost one year looking for a suitable place to live before they had located their present home; and he indicated that they have already lost some light, air, and openness because of apartment house construction.

President Newman asked members of the audience who were present in support of the subject application to stand. Most of the people in the audience responded.

Michael McCormick, President of the San Francisco Real Estate Board and spokesman for the San Francisco Residential Builders Association, spoke in opposition to the application. He stated that an opposition meeting had been held in the neighborhood; and, while it was true that only a few people had attended, the reason for the poor attendance was that no date had been indicated on the notice which had been circulated. Nevertheless, a number of people had contacted him to express their concern about the proposal. He felt that many of the arguments which had been made in favor of the reclassification were absolutely fallacious. He stated that zoning does not result in instantaneous development; and, as a case in point, he remarked that zoning was almost completely unrestricted in San Francisco for many years and did not bring disastrous results. With regard to the question of what is a "middle-income" family he advised the Commission that the average price of homes north of Lake Street is \$65,000 and that the average price of homes south of Lake Street is \$40,000. He also remarked that older couples and younger couples without children should have a right to consider themselves as middle-income families. He believed that the Commission has an obligation to the City as a whole and not to any particular section of the City; and he felt that planning must be done not just for today but for tomorrow, also. He noted that the Urban Design Plan had been completed only recently and emphasized that very little time has been available for implementation of the plan; and, in view of the fact that the plan resulted from numerous public hearings, and insofar as it does provide for some future growth, he felt that it should be given a fair chance. He informed the Commission that a recent article in the San Francisco Examiner had stated that the population of the Bay Area will triple by 1980; and, if no new residential construction takes place in San Francisco, he wondered where those people would be housed. He stated that he had appeared before the Commission approximately one year ago to oppose reclassification of a small portion of the Richmond district because he feared that that action would establish a precedent. The Commission had proceeded to approve that application and had denied that it would establish a precedent. Subsequently, however, the Commission had approved an application for "down-zoning" of the Haight Ashbury district; and, at the present time, four or five additional applications for major reclassifications are on file, in addition to the application presently under consideration. He advised the Commission that "down-zoning" has definite economic effects; and, as an example, he stated that re-classification of a property from R-3 to R-2 would result in a one-third to one-half loss in value. Furthermore, when properties are reclassified to a lower density, the Assessor must lower his assessments; and, as a result, tax revenue is lost, causing an increase in the tax rate. He also indicated that demand does affect the value of property. At the present time, San Francisco is enjoying a "sellers market"; however, if an area as large as the one presently under consideration were to be "down-zoned", builder demand which has led to inflationary prices, will be taken away. He stated that zoning has no effect on the value of land when improvements on the property are worth more than the land itself; however, he felt that older people would be hurt by the proposed rezoning if the value of their land exceeds the value of the improvements on it

at the present time. The devaluation which would result from the rezoning would encourage speculation under such circumstances. In conclusion, he emphasized that no one forces people to sell their properties to developers; and he urged that the application be disapproved.

Elizabeth McLaughlin, 337 Lake Street, read and submitted the following letter:

"Request a postponement or cancellation of request for a change of zoning on the south side of Lake Street for the following reasons:

"(1) The classification R-3 as exists at present is more reasonable and practical as it relates to apartment buildings with three (3) or more units. Considering that the greater number of apartments have been in existence prior to 1906 and are maintained properly, I don't see any reason for the change at the present time: Perhaps a time may come when the entire area has deteriorated to a point where it may be properly worthy of the name 'Chinatown West' then we can give some thought to a change in the zoning. If anyone has any objection to people who rent, I believe that their thinking is somewhat out of keeping with the times; we need renters, as offensive as they may appear, but I believe they contribute to the city coffers, just as much as anyone else; it would be a sad place without them: The majority of renters cannot afford to buy a home on Lake Street: the average cost of a home there (2-bedroom) is the region of \$57,000.00, but there are people who like to rent on Lake Street, but not all of them can afford a home there.

"(2) In the event one of our apartment buildings was burned down, we would be compelled to rebuild either a single family residence or a two-flat building which would sit out on a large lot 'like a sore thumb'. Who can afford such a structure: I thought we were trying to conserve the space in San Francisco: it is so limited! None of us are so affluent that we can afford to live in a mansion on Lake Street in the event one of our apartment buildings was demolished:

"(3) I believe you should do something for the single family resident who wants to be so exclusive and who can afford to live that way: You can restrict the building when the time comes for him to sell his building or rebuild?

"(4) We have been paying exorbitant taxes as owners of income units" can your single family resident compete with us: Maybe you would like to reduce our taxes and limit the entire area to single family residents: It would appear that you are cutting off your nose to spite your face.

"We do have a considerable investment (a life-time's work) in our little apartment buildings: Do you want to deprive us of the possibility of even disposing of our buildings, or would you like us to set them on fire and collect from the insurance companies.

"We could own a single family residence, but we cannot afford such a luxury: we like to live with our investment and to protect it to cover our old age as we don't want to go on welfare? Are you going to put us in that position as opposed to living in our own separate residence? Please give this matter further thought and am sure you will fully understand both sides of the coin.

"I don't see that they are worried about a view: We don't have any: so what are your single family residents worried about?"

Commissioner Fleishhacker stated that approval of the requested reclassification would in no way require that existing buildings be demolished; and, if an existing building should burn down or be destroyed by some other disaster, it could be replaced by a building with equal density. Thus, for all intents and purposes, Mrs. McLaughlin's property would continue to retain its existing zoning.

Mrs. McLaughlin stated that she had been advised by a real estate agent that her property would be difficult to sell if it were to be rezoned.

President Newman remarked that it seemed to him that Mrs. McLaughlin's property would become even more valuable than at present insofar as it would be occupied by a legal apartment building whereas construction of other apartment buildings on adjacent lots would not be legal.

Diana Daneman, 906 Lake Street, stated that the existing zoning pattern had been established following long studies undertaken by professionals; and she did not feel that it should be changed in the fashion being proposed. She also remarked that no one tells people that they have to sell their properties or demolish their single family homes for construction of apartment buildings.

A resident of property located at 131 - 12th Avenue stated that new apartments had replaced dilapidated buildings in the area. She felt that the new apartment buildings were very attractive; and they cast a much brighter light on the streets at night than the single family dwellings which they replaced. She also felt that people who rent and do not own property should have nothing to say about zoning.

Allan B. Jacobs, Director of Planning, stated that he was prepared to recommend that the application be approved in part based on detailed studies of the area which had been undertaken by the staff of the Department of City Planning. He remarked that Master Plan policies in both the Improvement Plan for Residence and the Urban Design Plan call for conservation of existing neighborhoods and the existing housing stock. He felt that existing housing which is in good condition should be maintained; and he felt that most of the structures in the subject neigh-

borhood fall into that category. He remarked that most of the area is characterized by one- and two-family dwellings; however, certain specific areas in the neighborhood are, in fact, characterized by multiple family development. In his opinion, reclassification of the areas characterized by one- and two-family development to R-2 would reaffirm the City's commitment to widening the choice of housing stock; and, on the other hand, he believed that retention of the existing R-3 and R-4 zoning districts would encourage excessive growth and bring about a drastic change in the character of the neighborhood. He also emphasized that substantial neighborhood support had been expressed for the proposed rezoning. He therefore recommended that the application be approved in part for most of the properties in the area with the following exceptions:

1. The three easterly lots on the south side of Lake Street between 2nd and 3rd Streets, all lots on the north side of Lake Street between 2nd and 3rd Avenues, and the lot at the north west corner of Lake Street and 3rd Avenue - all to remain R-3.
2. All properties on the north side of Lake Street between 5th Avenue and 10th Avenue to remain R-4.
3. Three lots on both sides of 12th Avenue, three lots on the west side of 11th Avenue, and one lot on the east side of 11th Avenue, all commencing 100 feet north of California Street, to remain R-3.

The Director displayed a map which reflected his recommendation and distributed copies of a draft resolution to members of the Commission.

Mrs. Heintzen stated that she was still concerned that the developer who had planned to construct an apartment building behind her house would proceed to construct flats in a building of the same size.

Mr. MacIntyre, observing that the staff was recommending that areas which are developed to R-3 and R-4 standards should retain their present zoning, asked why the same logic had not led to a recommendation that properties which are developed with single family houses should be rezoned R-1. The Director replied that he might have made such a recommendation in certain cases; however, given the nature of the application, the Commission would have no legal right to take such an action.

Commissioner Fleishhacker, noting that the staff had recommended that all properties on the north side of Lake Street between 5th and 10th Avenues should retain their R-4 zoning, asked why the staff had not recommended retention of the R-4 zone up to Funston Avenue. He indicated that the Commission had received a letter stating that there is only one single family home on the north side of Lake Street between Funston Avenue and 12th Avenue. The Director replied that there are eight parcels of property on the north side of Lake Street between 12th and Funston Avenues. Of those lots, one is developed with a single family residence, five are developed with two family residences, and two are developed to R-4 standards.

Commissioner Fleishhacker asked if there are a great number of parcels of property within the area recommended for reclassification to R-2 which are actually developed only with single family dwellings and which could be developed with two family dwellings to provide increased density in the area. The Director replied in the affirmative.

Commissioner Fleishhacker then asked if there has been a considerable amount of new construction at R-2 density in the subject neighborhood recently. The Director replied that 38 R-2 buildings were constructed in the City as a whole in 1970; and he indicated that 3 new R-2 buildings were constructed in the Richmond district in 1972.

Commissioner Fleishhacker questioned whether it would be reasonable to rezone the subject neighborhood to R-2 when very little new construction is being undertaken at that density; and he felt that approval of the proposed reclassification would probably discourage new development.

The Director observed that the applicants had made it quite clear that one of their reasons for requesting the reclassification was to maintain the existing character of the area.

Commissioner Fleishhacker stated that he was not wholeheartedly in favor of the proposed reclassification. However, he believed that approval of the application would help to preserve the character of the area; and, since it was apparent that a majority of the people owning property and living in the area were in favor of the rezoning, he stated that he would move that the application be approved. Nevertheless, he felt that such rezoning would not provide a solution for the long range problems of the City. In his opinion, the Commission should provide for reasonable growth; and he did not feel that property owners in the subject neighborhood would object to growth if it were, in fact, reasonable. Rezoning for the purpose of preventing any new construction would generally not be in the best interests of the City; however, since 22% of the lots in the subject neighborhood are already occupied by apartment buildings, he felt that the area might already have an appropriate mix of single-family and multiple-family dwellings.

The motion was seconded by Commissioner Mellon.

Commissioner Rueda stated that he would vote against the motion. He remarked that San Francisco would have a population in excess of 2,000,000 people if all properties were developed to the maximum density permitted by existing zoning. If the zoning of the subject neighborhood were changed to R-2, new construction would probably not be economically feasible; and, by the same token, property owners in the area would probably find it difficult to afford the cost of bringing their older homes up to code standards. Furthermore, if the subject application were to be approved, taxes would be lowered in the subject neighborhood and shifted to other areas which do not have comparable amenities; and he did not feel that that should be allowed to happen.

Commissioner Farrell stated that he would vote in favor of the proposed reclassification. He stated that he has lived in various parts of the City; and, as a result, he was familiar with the effect which construction of apartment buildings has had on neighborhoods such as Eureka Valley. He considered the subject neighborhood to be one of the best in the City; and, in view of the fact that there was considerable support for the proposed reclassification on the part of property owners and residents, he intended to vote for the rezoning.

Commissioner Mellon stated that he would vote in favor of the reclassification because the subject neighborhood already has a substantial number of multiple-family dwellings which are helping to fulfill some of the City's housing needs. He stated that he was not impressed by the argument that people are moving out of San Francisco because of neighborhood deterioration, since people have been moving out of the City since the turn of the century for various reasons, including climate. He felt that the main reason that people have moved out of the City is that modes of transportation have been provided which have made it feasible for them to do so. People may also move out of San Francisco because they cannot find a place to live in the City. If the subject neighborhood were not already developed with a number of multiple family dwellings, he doubted that he could have supported the proposed reclassification.

President Newman stated that he would vote in favor of the proposed rezoning because he felt that the action would serve to implement the principles and policies of the Improvement Plan for Residence. He regarded the subject neighborhood as one of the best family areas of the City; and he remarked that it has become a truly integrated neighborhood since World War II. With improved schooling, he felt that the neighborhood should become the ideal situation and serve as a prototype for the nation at large. In voting in favor of the rezoning, he felt that he was not only acceding to the wishes of the neighborhood but that he was also acting in the best interests of the City.

When the question was called, the Commission voted 4-1 to adopt Resolution No. 7004 and to approve Application ZM73.8 in part as recommended by the Director of Planning. Commissioners Farrell, Fleishhacker, Mellon and Newman, voted "Aye"; Commissioner Rueda voted "No". Commissioner Porter abstained from voting.

The meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, April 12, 1973.

The City Planning Commission met pursuant to notice on Thursday, April 12, 1973, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, and John Ritchie, members of the City Planning Commission.

ABSENT: Thomas J. Mellon and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Samuel Jung, Planner IV; Sidney Shaw, Planner III; Gregory Oliver, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ralph Craib represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of March 22, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that Don E. Stover, President of the Landmarks Preservation Advisory Board, had passed away on Tuesday night. The Commission voted unanimously to adopt Resolution No. 7005 to express its regret to Mr. Stover's family.

The Director reported on his attendance at the annual Conference of the American Society of Planning Officials in Los Angeles earlier in the week.

At this point in the proceedings, Commissioner Ritchie, arrived in the meeting room and assumed his seat at the Commission table.

The Director informed the Commission that the Environmental Impact Ordinance was given final passage by the Board of Supervisors on Monday, was signed by the Mayor on Wednesday, and is now in effect.

The Director advised the Commission that a resolution had been received from the Redevelopment Agency in response to City Planning Commission Resolution No. 6947 requesting the Agency to take whatever steps possible to modify the proposal for Golden Gateway Center Phase III to mitigate the adverse effects of the project as described in the Environmental Impact Report and to conform to the provisions of the Urban Design Plan, including those pertaining to height and bulk. The

resolution received in reply stated that the Redevelopment Agency respectfully declined to require modifications of Phase III and urged all parties to proceed without delay to effect construction of the project.

The Director informed the Commission that the staff, at the request of Supervisors Mendelsohn and Molinari who are members of the North Central Coast Regional Commission, is preparing the material necessary for the Board of Supervisors to ask for exclusion of certain urban land area in San Francisco from the coastline permit area. He stated that he will report further on this matter to the Commission before transmitting the material to the Board.

The Director reported that the Department of City Planning may be forced to shut down some of its operations if the \$7,411 supplemental appropriation approved by the Commission on January 18 is not acted on by the Board of Supervisors next Monday.

President Newman informed the Commission that the Bay Conservation and Development Commission had selected a committee to try to develop specific recommendations for further use of properties owned by the Port of San Francisco. He stated that he is a member of the Committee and that he will keep the Commission advised of the Committee's work.

R72.55 - TRUMBULL STREET AT ALEMANY BOULEVARD, SOUTHWEST CORNER,
PROPOSED STREET VACATION AND SALE OF SURPLUS LAND.

Samuel Jung, Planner IV, reported on this matter as follows:

"The owner of Lot 66, Block 5872, located at the southwest corner of Trumbull Street and Alemany Blvd., has requested the vacation of the unused portions of Trumbull Street and Alemany Blvd. abutting his property so he can purchase the land and incorporate it into his property.

"The zoning is R-1. Lot 66 contains 1500 square feet and the existing dwelling occupies most of the area. The owner of the property had assumed that the 350 square feet of open space adjacent to his home was part of his property and he maintained and used the area as outdoor living area.

"The Director of Planning has determined that the proposed street vacation and sale of surplus land could not have a significant effect on the environment and therefore does not require an environmental impact report. A Negative Declaration has been filed (EE-124)."

Allan B. Jacobs, Director of Planning, recommended that the proposed vacation be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the proposed vacation of the vacant portions of Trumbull Street and Alemany

Boulevard adjacent to Lot 66, Block 5872, as shown on SUR-2872, is in conformity with the Master Plan.

R72.60 BURNETT AVENUE, EAST SIDE, SOUTH OF COPPER ALLEY, PROPOSED STREET VACATION.

Samuel Jung, Planner IV, reported on this matter as follows:

"The owners of Lot 38, Block 2745, have resubmitted the proposed vacation of a portion of old Burnett Avenue that abuts Lots 38, 39 and 40. On two previous occasions the City Planning Commission denied similar requests because the proposal included portions of old Burnett Avenue the Commission wanted kept under public ownership for view protection from the new roadway and enhancement of the Twin Peaks open space. In the September 23, 1972, City Planning Commission meeting, the owner of Lot 38 indicated she would resubmit her request to vacate only that portion of old Burnett Avenue between the new roadway and her garage so that she would not have to cross City-owned land to get to her garage. This condition also applies to Lots 39 and 40. The Commission agreed to consider such a request.

"The subject referral requests vacation of the unused portion of the cul-de-sac abutting Lots 40, 39 and 38 and the 18-foot wide connecting strip between the terminus of the cul-de-sac and old Burnett Avenue on Lot 38, as shown on the corrected map identified as SUR-1072 with changes made in March, 1973.

"A Negative Declaration has been filed for this proposal (EE-126)"

Mrs. Killam, the property owner who had requested the street vacation, asked if the driveway to her garage lies within the boundaries of the area to be vacated. Mr. Jung replied that the answer to that question could be given only by a surveyor.

The Director presumed that the Department of Public Works, in drafting the proposal, had felt that Mrs. Killam's concerns would be satisfied by the vacation. He recommended that the vacation be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the proposed vacation of the unused portion of the cul-de-sac and 18-foot connecting strip along the old Burnett Avenue alignment, as shown on SUR-1072 with changes (March, 1973), is in conformity with the Master Plan.

At 2:40 P.M. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:00 P.M. for hearing of the remainder of the agenda.

FIRST PUBLIC HEARING ON CONSERVATION ELEMENT OF THE COMPREHENSIVE PLAN.

President Newman welcomed members of the audience and called on Allan B. Jacobs, Director of Planning, for introductory remarks.

The Director read the following prepared statement:

"On March 29th the staff of the Department of City Planning presented to the Planning Commission and to the citizens of San Francisco the proposal for citizen review entitled Conservation. It will be revised on the basis of comments received from individuals and community groups before it is presented for adoption by the Commission. Before proceeding with the hearing, I would like to review briefly the process followed by the staff in soliciting and responding to public comment.

"Following presentation of the plan to the Commission and to the public, approximately 80 copies of the plan were mailed or handed out to individuals, community groups, and government agencies. A number of people have already communicated their thoughts about the plan to the staff. These, together with all comments received hereafter, will be considered in the two-month review process.

"At today's hearing, members of the staff will be taking notes on all testimony offered. The staff will evaluate all comments and suggestions received during the review period and will prepare a paper summarizing these comments and recommending revisions where appropriate. This will form the basis for the revised plan for Conservation which will be presented to the City Planning Commission for adoption as the Conservation element of the Comprehensive Plan. State law requires adoption of this element by the end of June of this year.

"I would like to point out that the report we have produced is divided into three parts: an INTRODUCTION; a BACKGROUND SECTION describing existing conditions, trends, and issues relating to San Francisco's natural resources; and a section containing PROPOSED OBJECTIVES AND POLICIES for conservation. It is the objectives and policies section which will later be proposed for adoption as the Conservation element. I urge you, therefore, to pay particular attention to this section in your comments.

"At the end of today's hearing, the staff will respond to issues and comments raised in the testimony. We will do this at the end of the hearing rather than as each person speaks.

"I would like to turn the meeting back to President Newman who will call on members of the public that wish to speak."

April 12, 1973

Stewart Bloom, representing the San Francisco Loyal Opposition, stated that he had not yet had an opportunity to read the report which had been prepared by the staff of the Department of City Planning; however, he stated that he was concerned about the difficulty of implementing the plans which have been adopted by the Commission. He felt that adoption of another plan without funding from the Mayor and the Board of Supervisors for implementation would have no more effect than a senior class project in City Planning.

None of the other members of the audience wished to speak.

The Director remarked that aspects of the Urban Design Plan are implementable through legislation; and he felt that the record of the Commission in getting legislation passed for implementation of that plan had been good.

Commissioner Fleishhacker remarked that the Mayor and the Board of Supervisors have been reluctant to approve new expenditures which might result in any increase in the tax rate; and he expected that they would continue to be reluctant to approve such funding unless the taxpayers were to make it clear that they would favor a tax increase for particular purposes.

President Newman announced that the public hearing would be continued until a special meeting on April 25, 1973, at 7:30 p.m. in Room 282, City Hall.

The meeting was adjourned at 3:10 p.m. in respect to the memory of Don E. Stover.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, April 19, 1973.

The City Planning Commission met pursuant to notice on April 19, 1973, at 100 Larkin Street at 1:00 p.m.

PRESENT: Walter S. Newman, President; John C. Farrell, Mortimer Fleishhacker, and John Ritchie, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice-President; Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); James White, City Planning Coordinator; Peter Groat, Planner IV - Urban Systems Analyst; Marie Zeller, Planner III - Administrative; George Faltico, Planner II; DeWayne Guyer, Planner II; Emily Hill, Planner II; Moira So, Planner II; Nathaniel Taylor, Planner II; Linda Ferbert, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ralph Craib represented the San Francisco Chronicle.

1:00 P.M. Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on May 3, 1973.

2:15 P.M. Room 282, City Hall

Allan B. Jacobs, Director of Planning, distributed and summarized copies of a report on action taken by Mayor Alioto on the Department of City Planning's budget requests for the next fiscal year. He stated that the budget will be reviewed by the Finance Committee of the Board of Supervisors next Thursday at 2:00 p.m.

The Director advised the Commission that a group of Russian technicians will visit the Department of City Planning on Friday, April 20.

The Director reminded the Commission of the Special Meeting scheduled for next Wednesday evening, April 25, at 7:30 p.m. in Room 282, City Hall, for the second public hearing on the Conservation element of the Comprehensive Plan.

The Director informed the Commission that the draft of the Environmental Impact Report on the Yerba Buena Center will be available for public review during the week of April 30; and he indicated that a public hearing on this matter will be scheduled on June 14.

The Director distributed copies of a report on Mobility of Mission Residents which had been prepared at the request of Commissioner Rueda.

PRESENTATION OF 1972 HOUSING INVENTORY REPORT

Peter Groat, Planner IV - Urban Systems Analyst, presented and summarized the report and responded to questions raised by members of the Commission. The report is available in the files of the Department of City Planning.

PRESENTATION OF REVISIONS TO THE IMPROVEMENT PLAN FOR RECREATION AND OPEN SPACE.

President Newman welcomed the audience and noted that Thomas Malloy, Executive Assistant to the Manager of the Recreation and Park Department, was present in the meeting room.

Allan B. Jacobs, Director of Planning, reported on this matter as follows:

"The citizen review process which has been followed during the past few months has been similar to that used for development of the Residence, Urban Design, and Transportation elements of the Comprehensive Plan. All comments received on the 'Improvement Plan for Recreation & Open Space' have been evaluated in writing in a 'response document' similar to those prepared for previous elements of the Comprehensive Plan. The document is long, and has been summarized for your convenience, in the documents now before you. The staff is using the longer version as a working paper in their meetings with individuals and community groups on the plan changes. The staff has already met with representatives of SPUR, People for a Golden Gate National Recreation Area, Mission Coalition, Central City Coalition, Citizens Waterfront Committee, Inner Sunset Action Committee, and the San Francisco Bicycle Coalition on the proposed revisions, and will continue to meet with citizens until the revision process is complete.

"As you know, the comments received on the plan varied a great deal. And while many of them did not result in changes to the plan, they did raise important points. There were a number of comments, for example, directed toward the planning process. The point was raised that the program section, as well as objectives and policies, should be adopted by this Commission as the Recreation & Open Space element of the Comprehensive Plan. Another comment suggested that the Comprehensive Plan be adopted by the Board of Supervisors, as well as by this Commission. It was pointed out that procedure on these matters is prescribed in the Charter, and that major procedural changes would require a Charter amendment.

"The Citizens Waterfront Committee requested that the boundaries of the shoreline be specifically delineated, and that special review procedures be applied to development within the zone. It was felt that this action is an important implementation step of the plan, and has accordingly been included in the departmental Work Program. Delineation of the zone was not, however, felt to be appropriate to the Comprehensive Plan.

"A number of comments were offered about the Great Highway, with emphasis on removing parking entirely from the right-of-way, and upon dune stabilization. It was felt by the staff that some parking is needed on the right-of-way to accommodate access to Ocean Beach and prevent additional traffic in the neighborhood. Statements will be added, however, to the Great Highway statement in the program section, noting that further development should be coordinated with findings of technical studies on the subject of erosion and dune stabilization. Plan changes are also proposed to bring the plan into accord with recent legislation establishing the Golden Gate National Recreation Area.

"Many comments were addressed to the Northern Shoreline Plan, requesting changes of various kinds in open space designations in this area. It was pointed out that these designations are based upon the adopted Northern Waterfront element of the Comprehensive Plan to which the Department and Commission are formally committed at this time.

"Other comments recommended more stringent controls upon development in the Presidio. Again, the Presidio policy is based upon existing policy, in this case the intent of the open space designation and the 'Memorandum of Understanding', as well as existing City Planning Commission procedures. Because the Presidio is in addition under control of the Department of the Army, it is not possible to comply with comments which recommended prevention of development which expands the Army's activities in the Presidio, or to prevent future construction which is not on a 'one-for-one' basis. There was also some confusion about the Presidio Plan map. Certain existing buildings in the Presidio are not shown on the plan. Since it is the function of the plan to show a planning goal for the Presidio, it was not recommended that the plan map be changed. It was felt by the staff, however, that it would be helpful to show all existing facilities in the Presidio, and the Army's Master Plan, together with the text of the 'Memorandum of Understanding' in the revised program section.

"In the citywide section the comments were extremely varied. A number of changes were made to the plan section, strengthening the land acquisition suggestions, and, in response to the many and varied comments received on Golden Gate Park, adding a new

policy calling for a master plan in the Park. Comments also requested additional open space areas at Grand View Park and in Diamond Heights. In both cases, however, it was felt that the existing recommendation was adequate and that no additional change should be made. The Bernal Hill section in the program section was expanded in light of comments received, to urge completion of the transfer of Bernal Hill to the Recreation and Park Department, and to recommend enhancement and protection of the hill's open space qualities.

"Comments were also directed to preserving the existing open space on Mount Sutro and toward making it more accessible. The open space designation in the plan reflects the open space district designation which was arrived at in a cooperative planning effort between this Department and the University of California planning staff. Although not all existing open space on Mount Sutro is included in the designation, significant concessions were made on the part of the University to preserve the major open space areas on Mount Sutro, and it was felt that this agreement should be respected in the Recreation & Open Space element. An additional statement on Mount Sutro is being added in the program section, however, again emphasizing the importance of this open space resource, and urging that it be made more useful for public recreation.

"Finally, a number of comments were directed toward neighborhood recreation. As you will see in the plan changes summary, changes are proposed in the neighborhood policies to stress additional coordination among public and private recreation agencies. And changes are being made in the neighborhood programs to insure that the need and opportunity statements reflect as closely as possible the views of neighborhood residents.

"The comments addressed a wide range of issues contained in the 'Improvement Plan for Recreation & Open Space' and a number of levels in the planning process. Excellent points were raised, and major changes are being proposed in both the plan and program sections to accommodate these points. The revised plan is intended to represent as closely as possible the views of both citizens and the staff regarding recreation and open space in San Francisco."

Subsequently, the Director reviewed and commented on some of the specific changes which were being proposed. In conclusion, he indicated that a hearing had been scheduled for adoption of the revised plan element as the Recreation and Open Space element of the Comprehensive Plan on May 10 at 7:30 p.m. in Room 282, City Hall.

Mr. Malloy remarked that the fact that the changes being proposed were few in the number reflected well on the work which had gone into the original document.

ZT73.2 - PROPOSED HEARING ON PROPOSED AMENDMENT TO CITY PLANNING CODE
TO REGULATE BUILDING PROJECTIONS OVER CITY STREETS AND ALLEYS.
(UNDER ADVISEMENT FROM MEETING OF MARCH 22, 1973)

Robert Passmore, Planner V (Zoning), summarized the presentation which he had made during the meeting on March 22. He noted that support for the staff proposals had been voiced at that meeting by the Mission Coalition, the Pacific Heights Association, the Northern California Chapter of the American Institute of Architects, the Planning Association for the Richmond, and Jonathan Bulkley, Architect. Opposition had been expressed by the Residential Builders of San Francisco, who had noted that Bays are costly to construct; and they felt that the staff proposals had not taken interior design into consideration. Their basic concern was that the staff proposals would not permit construction of two six-foot wide bays on lots with a width of 25 feet; and they had submitted an alternate proposal for 25-foot wide lots. The staff of the Department of City Planning had recommended that the ordinance be adopted as proposed and had emphasized that the ordinance could be changed at a later date if a need for change were obvious. However, the Commission had requested the staff to consider the alternate proposal which had been submitted by the Residential Builders of San Francisco. During the interim, the staff had reviewed recent building plans for apartments on 25-foot wide lots, had gone into the field to review the appearance of both old and new apartment buildings on 25-foot wide lots, had reviewed the compatibility of the proposal with applicable building code restrictions, and had held two meetings with representatives of the Residential Builders of San Francisco.

At those meetings, the residential builders had expressed additional concern about the appearance of buildings with only one bay on 25-foot lots and had suggested that their alternate proposal should apply not only to 25-foot wide lots but to any lots having a width less than 30 feet. From its review of recent plans for apartments on 25-foot wide lots, the staff of the Department of City Planning had found that most interior partitions are located approximately in the center of buildings, that some buildings are being built with one bay, and that some bays project only 2 feet rather than 3 feet. From its field review, the staff had found that most older buildings on 25-foot wide lots have bays which have side-walls on a 45 degree angle to the building and which are less than six feet wide; at the face of the bay such bays would be permitted by the amendment proposed by the staff. The staff had also found that buildings with only one bay can be attractive; and Mr. Passmore distributed photographs of such buildings to members of the Commission. On the other hand, the staff had found that bays with closer spacing, as proposed by the residential builders, present an undesirable conflict of window exposure; and he distributed photographs of those circumstances, also. Mr. Passmore stated that the Building Code requires that projecting windows must be inside of a 45 degree angle drawn from the corner of the building facade; and as a result, windows would not be permitted by that code in the modified amendment proposed by the residential builders.

No one was present in the audience to address the Commission in support of or in opposition to the proposed amendment.

Allan B. Jacobs, Director of Planning, distributed copies of a draft resolution which he had prepared for approval of the proposed amendment as recommended by the staff of the Department of City Planning; and he recommended that the draft resolution be adopted.

Commissioner Ritchie remarked that the residential builders had seemed to be terribly concerned about the issue; and, since the Commission had taken the matter under advisement so that their concerns could be reviewed more thoroughly by the staff of the Department of City Planning, he was puzzled by the fact that they were not present. He asked how many times the staff had met with representatives of the residential builders. The Director replied that the staff had met with representatives of the group on two occasions during the interim.

President Newman asked if the residential builders had changed their position. Mr. Passmore replied in the negative; however, he indicated that they had understood that the staff of the Department of City Planning would, in all likelihood, continue to recommend adoption of its original proposal.

Commissioner Ritchie stated that he had been under the impression that the original purpose of the proposed amendment would be to prevent continuous overhangs. The Director confirmed that that was the case. However, he emphasized that proper legislation is important when controls were being established; and he indicated that the staff of the Department had researched the matter thoroughly and had worked with the American Institute of Architects and with developers prior to bringing its recommendations to the Commission. He felt that the controls which were being recommended by the staff were reasonable; and it seemed to him that the alternative proposed by the residential builders would not be in the best interests of San Francisco.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Farrell, and carried unanimously that Resolution No. 7006 be adopted and that the amendment proposed by the staff of the Department of City Planning be approved.

The meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

a BQ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Special Meeting, held Wednesday, April 25, 1973.

The City Planning Commission met pursuant to notice on Wednesday, April 25, 1973, at 7:30 p.m. in Room 282, City Hall.

PRESENT: John Ritchie, Acting Chairman; John C. Farrell, Thomas G. Miller, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; and Mortimer Fleishhacker, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Sidney Shaw, Planner III; and Lynn E. Pio, Secretary.

SECOND PUBLIC HEARING ON DRAFT OF CONSERVATION ELEMENT OF THE
COMPREHENSIVE PLAN

Stewart Bloom, representing the San Francisco Loyal Opposition, felt that development which has taken place in San Francisco over the past 20 years has caused the environmental problems which are now being faced by the City. Increased density of office buildings in Downtown San Francisco has increased commuter traffic; and automobile traffic is responsible for 80% of the pollution in the air. He stated that his organization feels that the automobile must be controlled; and it was their suggestion that the control should be exercised through control of people who drive automobiles. He agreed with statements in the staff report to the effect that "concentrated efforts to control automobile use should be pursued in order to reduce air pollution and to improve the environment"; and he believed that the best course of action towards that end would be to limit parking lots in Downtown San Francisco and to raise bridge tolls. He remarked that attempts to seduce drivers out of their cars have proved useless; and he felt that action must now be taken to force them out of their cars.

Commissioner Ritchie asked Mr. Bloom if he would continue to object to automobile traffic if exhaust fumes and pollutants could be controlled. Mr. Bloom replied in the affirmative, indicating that automobiles would still take space; and he did not believe that they are necessary. As an alternative, he suggested that people should be encouraged to use bicycles.

Commissioner Farrell remarked that the accident rate on bicycles and motor bikes has risen sharply in the past few years.

Allan B. Jacobs, Director of Planning, felt that what Mr. Bloom was trying to say was that areas of industry, commerce and activity should be planned nearer to where people live so they would not have to commute at the environmental expense of San Francisco.

Mr. Bloom agreed and indicated that his organization has proposed that the Yerba Buena Center project be redesigned as an integrated community containing low income as well as market rate housing, industry, commercial space, and office space.

Commissioner Miller noted that most cities are located on rivers or harbors and are centers of commerce; and, while cities may serve other functions, one of their most important functions is to serve as a place where the poor can come to upgrade themselves to middle class level before eventually returning to the suburbs. Unless cities continue to provide a high level of commercial activity and achieve increasing urbanization, they cannot provide the public facilities needed to upgrade the poor; and he felt that people who do not enjoy living in a center of commerce should move to the suburbs. He emphasized that Downtown San Francisco, which comprises a very small portion of the total land area of the city, provides more than 60% of the property taxes which pay for local schools; and, if San Francisco did not have a viable Downtown area, it would not be able to pay for the schools which are an important factor in upgrading the poor.

Mr. Bloom stated that it was his belief that the cost for services in Downtown San Francisco far exceeds the revenue which the area provides.

Commissioner Ritchie emphasized that many of the people working in Downtown San Francisco live in the City and are not commuters.

The Director stated that cities can reach a point where their livability is undone by further development; and he suggested that the issue to be considered relative to San Francisco is where one should stop, modify, or change the pattern of development. It appeared that Mr. Bloom felt that San Francisco had already reached or passed the point where such a decision should be made; and others would probably say that the point will never be reached or that it has not yet been reached in San Francisco. However, he felt that the issue must be considered at some point.

Mr. Bloom stated that his organization was in favor of much that had been said in the staff report; however, as he had noted during the hearing on April 12, they were concerned about the feasibility of implementing some of the policies and principles stated in the plan. In that regard, he distributed to members of the Commission a report which had been prepared by Robert E. David for the Department of Architecture at the University of California at Berkeley on the subject of out-bound commuter traffic in the Golden Gate Bridge Corridor of San Francisco. He indicated that the conclusion of the report was that the amount of pollutants in the air could be reduced dramatically if all present commuters were required to travel by bus; and it was estimated that a total of 965 busses could accommodate all present commuter traffic. He asked members of the Commission to study the report in detail.

After further discussion, the Director recommended that the matter be taken under advisement until May 24 and that final action be taken on that date.

APRIL 25, 1973

Commissioner Ritchie requested that any suggestions for changes in the report be submitted in writing to the staff of the Department of City Planning no later than May 4.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Miller, and carried unanimously that the matter be taken under advisement until the meeting of May 24, 1973.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, April 26, 1973.

The City Planning Commission met pursuant to notice on Thursday, April 26, 1973, at 2:50 P.M. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; John C. Farrell, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice-President.

The staff of the Department of City Planning was represented by Allan B. Jacobs Director of Planning; R. Spencer Steele, Assistant Director Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Peter Svirsky, Planner V (Zoning); Alec Bash, Planner II; Roland Haney, Planner III; Marie Zeller, Planner III - Administrative; Joan Lamphier, Planner II; Linda Ferbert, Planner I; and Lynn E. Pio, Secretary.

APPROVAL OF MINUTES

The Secretary advised the Commission that a clerical error on page 6 of the minutes of the meeting of March 29, 1973, had been corrected. It was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of March 29, 1973, be approved with the correction which had been made by the Secretary.

At this point in the proceedings, Commissioner Miller arrived in the meeting room and assumed his seat at the Commission table.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, read the following prepared statement:

"I reported to you two weeks ago that at the request of Supervisors Mendelsohn and Molinari, members of the North Central Coast Regional Commission, the Department was preparing material to enable the Board of Supervisors to ask for exclusion of developed urban area in San Francisco from the coastline Permit Area.

"Before you are copies of the completed material which is now being submitted to the Board. It is expected that the matter will be referred to a committee of the Board for hearing.

"The Coastal Zone Conservation Act allows the Regional Commission to exclude from its Permit Area certain land zoned residential or commercial that has at least 80 per cent of its lots fully developed under current zoning. In San Francisco, the exclusion cannot be extended to public land in the P district, but it can be applied to the great majority of privately-owned lots within 1,000 yards of the Ocean in the Richmond, Sunset, Parkside and Lakeshore areas.

"The allowance for exclusion appears to be designed to eliminate unnecessary permit reviews that would inhibit property owners without serving the purposes of the Act, and to avoid diverting the time of the Regional Commission from its main work, the preparation of a coastline plan.

"In drawing up the exclusion proposal for San Francisco, we have followed the formula in the Act quite literally, and have sought the maximum amount of exclusion as the two Supervisors have requested. The new boundary shown on the maps in the submission would exclude 7,404 lots from permit review out of the total of 8,677 in the original permit area. The excluded area has just over 80 per cent of its lots fully developed under present zoning. Exclusion of this area would be conditioned upon the zoning remaining as restrictive as it is today.

"The Department's work on this matter is now completed, unless some new computation of areas should prove to be necessary."

APPEAL OF REQUIREMENT FOR AN ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED EIGHT UNIT APARTMENT BUILDING AT 151 RIPLEY STREET.

Robert Passmore, Planner V - (Zoning), reported on this matter as follows:

"On March 27, 1973 the Director found, after reviewing an Environmental Evaluation Form submitted by Ms. Gloria Diana Ramos, that the 8-unit apartment building proposed to be built at 151 Ripley Street described on the form, could have a significant effect on the environment, and determined that an Environmental Impact Report must be filed under the provisions of the California Environmental Quality Act. This finding has been appealed to the Commission by Ms. Ramos.

"The major environmental concerns of the Director in this determination were the soil stability at the rear of the subject property where a steep cliff exists, and the compatibility of an 8-unit apartment building with smaller-scale one and two family dwellings in the vicinity of the subject site.

"The proposal is on an "L" shaped lot having frontages on Ripley Street and on Harrison Street, which latter street is unimproved along the subject frontage. Access to the proposed dwelling would be from Ripley Street. The dwelling would be two floors high over parking and would step down the downward sloping site. All eight units would contain two bedrooms and be approximately 900 square feet each in area.

"Only the Ripley Street frontage of the parcel is zoned R-3; the remainder is R-1. Because the proposed building extends into the R-1 portion of the site the applicant has filed alternative applications for reclassification from R-1 to R-3 or a density variance. These applications have not been scheduled for public hearing in order to allow determination of the appeal concerning the requirement for an environmental impact report. If an environmental impact report is required, the report would have to be publicly reviewed and certified by the Planning Commission before a decision could be made on either the reclassification application or variance application.

"Subsequent to the Director's determination on the Environmental Evaluation Form, Ms. Ramos submitted a letter from Fong C. Chan, structural engineer, dated April 11, 1973 stating:

'I have inspected the site and the buildings adjacent to this property and in the vicinity.

'It is my opinion that the appropriate design for the foundation and superstructure, the stability of the site will not be disturbed.'

"On April 26, 1973, Ms. Ramos submitted letters from residents of 147 and 161 Ripley Street, properties adjacent to the east and west of the subject site, stating their approval of the proposed project."

Ms. Ramos, who was present in the audience, felt that the comments which had been made by the staff of the Department of City Planning on the environmental impact check list were not applicable to the proposed project. Her response to some of the comments of the staff were as follows:

- "1. 'Residence Plan recommends low-density in this area (1 & 2 family) Urban Design Plan implications indicated in 2 below.'

Under existing 'adopted' zoning there is no question to the total number of units allowed only a question of distribution. Under 'recommended' Residence Plan assuming this means R-2 for the entire areas eight units would also be allowed.

- "2. 'Large-scale building in fire-scale area, built upon exposed stilts in rear, rear of building may block views.'

The permitted height is 40' the proposed height is 27', 9', and 18' front middle and back respectively. The Plan presented was a preliminary sketch indicating structural system, possibly piers, not exterior finish or exposed surfaces. See letters by neighbors for comments on views.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for ensuring the integrity of the financial system and for providing a clear audit trail. The text also mentions the need for regular audits and the role of the auditor in verifying the accuracy of the records.

The second part of the document focuses on the internal controls that should be implemented to prevent fraud and errors. It describes various control measures, such as segregation of duties, authorization requirements, and the use of physical safeguards. The text also discusses the importance of training employees on these controls and the need for ongoing monitoring and evaluation.

The third part of the document addresses the issue of information security. It highlights the risks associated with the loss or unauthorized access of sensitive information and provides guidelines for protecting this information. The text also discusses the importance of having a disaster recovery plan in place to ensure the continuity of operations in the event of a security incident.

The fourth part of the document discusses the role of management in ensuring the effectiveness of the internal control system. It emphasizes the need for management to establish a strong tone at the top and to provide adequate resources for the implementation and maintenance of the controls. The text also mentions the importance of communication and reporting to the board of directors.

The final part of the document provides a summary of the key points discussed and offers some concluding remarks. It reiterates the importance of a robust internal control system for the success of the organization and encourages management to take a proactive approach to identifying and addressing control deficiencies.

- "8, 9 'Requires additional information to determine these matters. Site is on major slope.'

The structure will have proper roof gutters. The foundation and structure will be designed to meet earthquake standards. These are more properly questions to be discussed and resolved when plans are reviewed by the Building and Engineering Departments of the City. See letter by Structural Engineer.

- "13 'The mass of the building, the design of which will block some views and leave exposed piling at rear, the potential for erosion or landslide on the site (no solid information at present), the density proposed, and the various Planning Code technical problems (density, rear yard, lot coverage, usable open space) result in a total impact which is significant.'

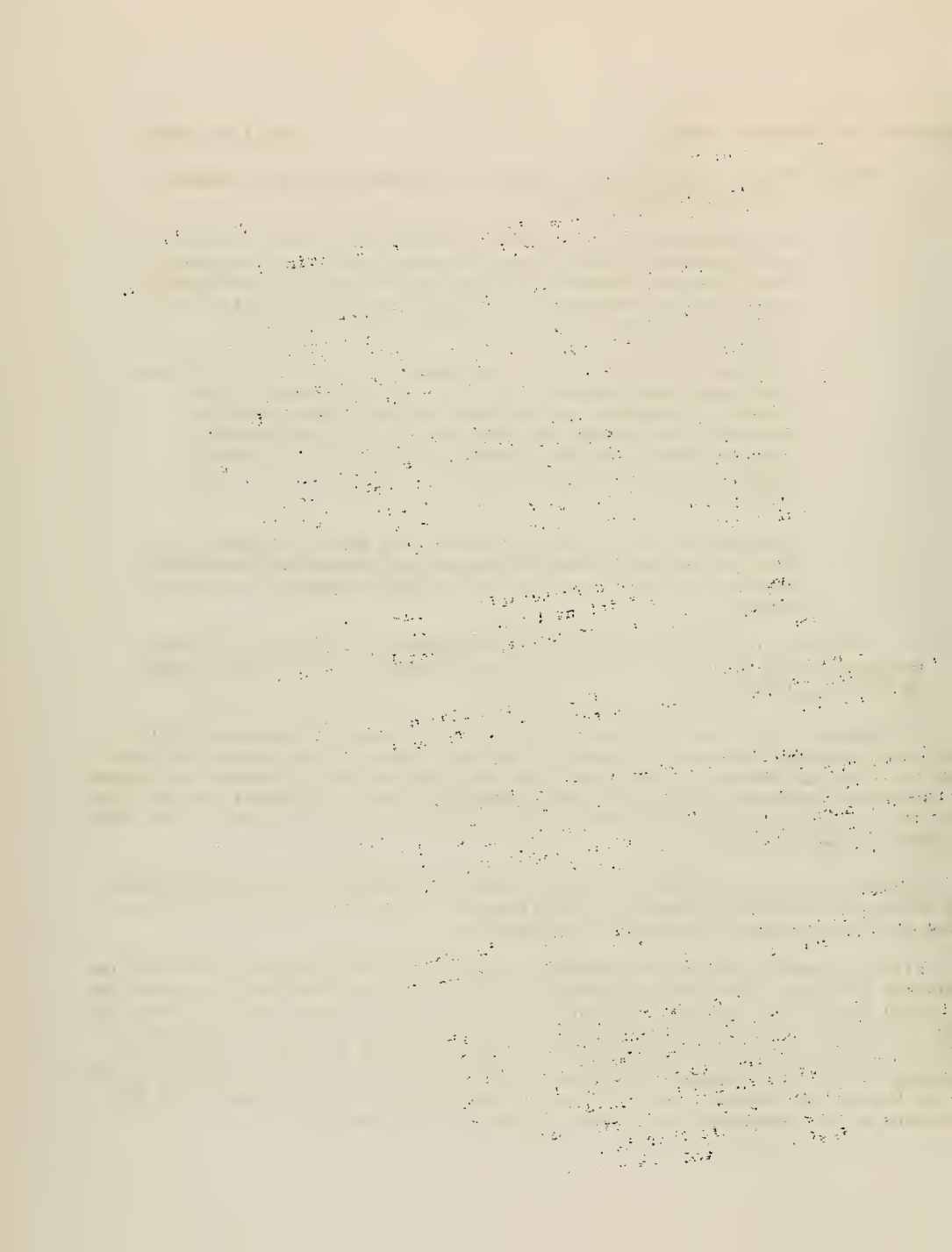
This appears to be a reiteration of the above judgments. I have not nor do I intend to request any deviation from height, density rear yard, lot coverage or usable open space requirements.

"The only legitimate issues are the location of the setbacks and the distribution of the units on the total site. These are the subject matter of VZ73.9 and ZM73.13."

In conclusion, Ms. Ramos emphasized that she is aware that the property has a cliff and indicated that she is trying to keep the proposed structure as far away from the cliff as possible. She stated that the proposed building would be designed to earthquake standards by an architectural engineer; and, as a result, she did not feel that the geologic hazard on the property would be any greater than on any other property in San Francisco.

Commissioner Ritchie asked if he were correct in assuming that the applicant was attempting to cluster all of the dwelling units permitted on the entire site along the Ripley Street frontage of the property.

Allan B. Jacobs, Director of Planning, replied in the affirmative; however, he indicated that that issue was not presently before the Commission for consideration. He stated that he had originally taken the position that an environmental impact report would be necessary for the proposed project; however, having heard Ms. Ramos' argument, he was prepared to change his recommendation and to sign a negative declaration for the development. Under the circumstances, no action would be required by the Commission; however, he felt that it would be in the best interests of the applicant if the Commission would vote to concur in his decision.



After further discussion, it was moved by Commissioner Rueda, seconded by Commissioner Miller, and carried unanimously that the Commission concur in the Director's decision to issue a negative declaration for the project.

CONSIDERATION OF A PROPOSAL TO ESTABLISH A POLICY TO CONDUCT DISCRETIONARY REVIEWS OF NEW BUILDING PROJECTS ON MISSION STREET BETWEEN 15TH AND 29TH STREETS.

Robert Passmore, Planner V (Zoning), reported on this matter as follows:

"The Mission Coalition Organization by letter to the City Planning Commission requested the Planning Commission to adopt a policy of discretionary review for new construction or major remodeling proposed along Mission Street in the vicinity of the 16th Street and 24th Street BARTD stations.

"In response to this letter Department of City Planning staff discussed the request with both the Planning Committee of the MCO and the Mission Merchants Division of the Greater San Francisco Chamber of Commerce. These discussions explored the land area most appropriate to be covered by such a policy, and the purpose of establishing such a policy.

"Issues such as large public expenditures to improve Mission Street, particularly in the vicinity of the BARTD stations, private actions being taken to enhance the appearance of the street, the objective of strengthening the pedestrian oriented retail nature of the street, the uses permitted along the street under existing zoning (both beneficial and detrimental), and the physical growth of buildings along the street under newly adopted height limits were discussed.

"As a result of these discussions both groups stated that they would like to have the Planning Commission adopt a policy to:

- "1. Have the Commission review under its discretionary powers any application for a new or altered building or use along Mission Street between 15th and 29th Streets that the Department of City Planning finds is in conflict with the principles and policies of the Master Plan, and would result in a detrimental effect on the existing and potential development of Mission Street.
- "2. To notify all property owners in area subject to such review of the Commission policy.

- "3. Urge potential developers and property owners to consult with the Department at an early date so as to encourage development of projects which would not be in conflict with the Master Plan, and which would be beneficial to the development of Mission Street.

"A draft resolution has been prepared to accomplish this request."

Jenny Gutierrez, representing the Planning Committee of the Mission Coalition Organization, confirmed the support of her committee for establishing a discretionary review policy for building projects on Mission Street. She noted that Mission Street is the main commercial avenue in their neighborhood; and, as a result, the street is very important to residents of the area. Although she realized the limitations of the discretionary review procedure, she felt that adoption of the proposed policy by the Commission would be helpful; and she urged that the draft resolution be adopted.

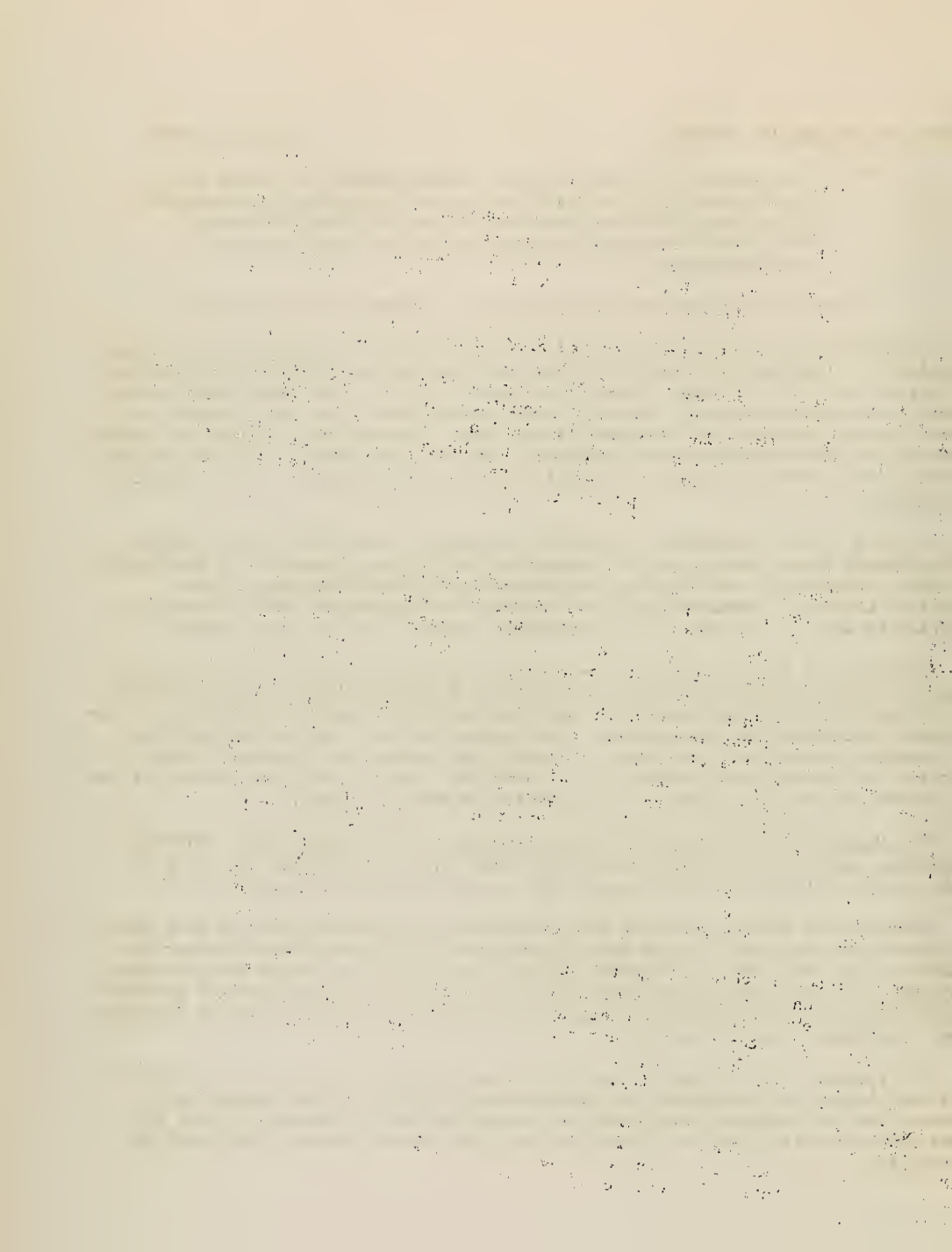
Allan B. Jacobs, Director of Planning, emphasized that establishment of the discretionary review policy had the support of the Planning Committee of the Mission Coalition Organization and the Mission Merchants division of the greater San Francisco Chamber of Commerce; and, as a result, he recommended that the draft resolution be adopted and that the discretionary review policy be established.

Commissioner Rueda noted that the Commission, upon adoption of new City-wide height and bulk standards last year, had requested that the height limits adopted for Mission Street in the vicinity of the 16th and 24th Street BART Stations, be re-evaluated after BART is in operation. With regard to the draft resolution which was presently before the Commission, he questioned whether the Commission should exercise its discretionary authority to review new "uses" as well as permits for new or altered buildings along the subject portion of Mission Street.

Mr. Passmore replied that new uses, requiring little alteration of existing buildings, could cause traffic problems or other types of problems; and, as a result, the staff had felt that proposals for new uses should be reviewed, also.

Commissioner Ritchie remarked that discretionary review matters had come before the Commission on a case by case basis in the past; and he questioned whether the Commission had ever taken a "blanket" approach such as the one which was now being proposed. The Director replied that the Commission had previously adopted policies of reviewing all new development along Market Street and in the Portsmouth Corridor under its discretionary authority.

Mr. Passmore stated that all permits for new construction in those two areas must come before the Commission for discretionary review. In the present case, however, the only matters which would be brought before the Commission would be those which the staff felt would conflict with the principles and policies of the master plan.



Commissioner Ritchie remarked that the Commission's discretionary review policies relating to the Portsmouth Corridor and Market Street had been established prior to adoption of the Urban Design Plan; and he felt that that plan should serve as a sufficient control for development along Mission Street. Basically, he felt that any new construction would constitute an improvement for the street.

The Director stated that the Commission had conducted discretionary reviews of projects which would have had a detrimental effect on Mission Street in the past; and he felt that adoption of the proposed discretionary review policy would be helpful in the Commission's attempts to keep the street transit-oriented and to maintain a continuous facade of development. He emphasized that uses such as car washes could damage the character of the street; and, because both the Planning Commission of the Mission Coalition and the Mission Merchants Division of the Greater San Francisco Chamber of Commerce supported the proposal for the discretionary review policy, he felt that adoption of the policy would be desirable.

Commissioner Fleischhacker stated that he shared Commissioner Rueda's concern about the proposal that all new uses on Mission Street should be subject to discretionary review; and he indicated he would be more comfortable with the proposal if the uses which were of concern to the Department would be defined. In general, however, he was in favor of the staff proposal. He remarked that the Commission has the authority to conduct discretionary reviews on an individual basis, in any case; and, if the policy now being proposed were not adopted, he believed that the Mission Merchants and the Mission Coalition Organization would ask that discretionary reviews be held on an individual basis. Under the circumstances, he felt that it would be better for the Commission to adopt the policy and to give notice to property owners along Mission Street in advance that new developments may be subject to discretionary review.

Commissioner Rueda stated that he could understand the concern of the Mission Merchants and the Mission Coalition Organization about new development along Mission Street. However, he felt that many potential small projects might be dumped before they are started if people knew they would have to come before the Commission for discretionary review.

President Newman remarked that there was a tacit, if not express, understanding on the part of the Commission when the Urban Design Plan was adopted that discretionary reviews would be kept to an absolute minimum in the future. He viewed the proposed policy as discrimination in reverse since it would focus special attention on Mission Street which other districts should deserve, also, if the Commission were to be fair. Since the Commission had made it clear that it does not desire to expand its discretionary review powers, he felt that the proposed policy should not be adopted.

Commissioner Ritchie stated that he could name a number of sensitive commercial areas in the City; and, if the policy being proposed for Mission Street were to be adopted, he could envision the possibility that discretionary review "blankets" would eventually be established for all commercial streets in the City. If discretionary reviews were conducted on an individual basis, hardship cases might arise in

certain instances where property owners would not have prior knowledge of the Commission's discretionary review authority; however, he felt that adoption of the "blanket" discretionary review policy now being proposed would create a hardship for all property owners along the street.

The Director acknowledged that the Commission had declared its desire to reduce the number of discretionary reviews wherever possible; yet, in certain cases in which the staff had advised developers of the Commission's stated policy, particularly on Nob Hill, the Commission had subsequently chosen to exercise its discretionary authority, thus causing problems for the developers. He felt that the question to be considered in the present instance was whether Mission Street is a very special case; and, if so, he believed that the Commission should try to avoid the problems which had arisen on Nob Hill. He remarked that the Commission had obviously considered the Portsmouth Corridor to be a special case; and the same was true of Market Street, because of the large amount of public money committed to improvement of that street. He emphasized that major public improvements are taking place on Mission Street, also in the form of two new BART stations and some new sidewalk work; and, while those improvements are not as significant as the improvements along Market Street, they are nonetheless significant in terms of Mission Street. Moreover, he noted that both the Mission Coalition Organization and the Mission Merchants had indicated that they feel that Mission Street is a special area deserving of special consideration. In conclusion, he emphasized that Mission Street is the major street in the Mission District and the second most important shopping street in the City.

Commissioner Rueda stated that he did not disagree with the Director. However, he noted that the Commission had already lowered height limits and limited the bulk of buildings along Mission Street; and he did not feel that further restrictions should be applied on a "blanket" basis. If the policy proposed by the staff were not adopted, individual projects could still be brought before the Commission for discretionary review; and he felt that it was obvious that such reviews would be held by the Commission.

President Newman observed that the Planning Committee of the Mission Coalition Organization and the Mission Merchants could assume responsibility for screening new projects along the street and determining which cases should be brought before the Commission for discretionary review.

The Director emphasized that the draft resolution which had been placed before members of the Commission had been written so that only projects which had been found in conflict with the Master Plan by the staff of the Department of City Planning would be brought before the Commission for discretionary review. Projects which would be in conformity with the Master Plan would not be brought before the Commission.

Commissioner Rueda felt that the Commission would be obligated to establish similar discretionary review policies for other commercial areas such as the Lombard Strip and the West Portal Shopping District if the policy proposed for Mission Street were to be adopted.

The Director stated that each request would have to be judged on its own merits.

After further discussion Commissioner Fleishhacker moved that the draft resolution which had been prepared by the Director be adopted. He agreed with the Director that requests for similar discretionary review policies for other commercial districts should be considered on their own merits; and he felt that one of the criteria to be considered by the Commission in each case would be whether money is being spent to upgrade the area. In that regard, he noted that no one had suggested that public money should be spent to upgrade Lombard Street, Union Street, or other similar commercial streets. Mission Street, on the other hand, is more analogous to Market Street; and he believed that property owners along Mission Street should be put on notice that the Commission expects better building design in the future to complement public improvements in the area. He stated that he was not generally in favor of increasing the number of discretionary review cases to be heard by the Commission; and he did not feel that adoption of the proposed policy would cause any projects other than the most extreme cases to be brought before the Commission. On the other hand, he believed that the mere existence of the policy would encourage property owners along the street to undertake better looking development.

When no second for the motion was forthcoming, the matter was tabled.

PUBLIC HEARING ON LIST OF CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, PROPOSED FOR ADOPTION BY THE CITY PLANNING COMMISSION PURSUANT TO STATE LAW.

Peter Svirskey, Planner V (Zoning), reported on this matter as follows:

"The list of categorical exemptions from the California Environmental Quality Act was adopted by the Commission on an interim basis on March 29. The matter was continued to today's meeting primarily for two reasons:

- "1. The San Francisco ordinance relating to environmental review was then still pending at the Board of Supervisors, but it has now been adopted, clearing the way for final action on the list of categorical exemptions.
- "2. There were certain questions on details of the list raised by the City Engineer, and these have now been resolved, with one exception.

"It was also pointed out at the last meeting that there may well be certain aspects of the State Guidelines that are inappropriate to San Francisco, and for that reason a public hearing date of June 21 will be set for consideration of requests that might be made to the Secretary of the Resources Agency for changes in the guidelines. The Secretary has called for such requests to be made, by July 15, and he will consider the requests in August.

"A draft resolution is before the Commission that would adopt the categorical exemptions on a permanent basis, subject to later amendments if the State Guidelines are changed. The resolution contains two further minor modifications resulting from our meetings with the City Engineer's office. These are as follows:

- "1. Change Item 1(c)9 to read as follows: 'Changes in traffic and parking regulations, including installation and replacement of signs in connection therewith, where such changes do not establish a higher speed limit along a significant portion of the street and will not result in more than a negligible increase in use of the street.'
- "2. Insert a new paragraph at the end of Class 11 to read as follows: 'This item includes tanks, bins and other accessory structures within the property lines of existing sewage treatment plants, where such structures will be used to improve the quality of processing without increasing capacity.'"

Mr. Svirskey then stated that the staff recommendation, as reflected in the draft resolution, did not make one change which had been requested by the City Engineer and the Director of Public Works as indicated in a letter from Mr. Tatarian which had been placed before each of the members of the Commission. The letter requested that Item 1(c)8 be amended. As recommended by the staff of the Department of City Planning, the item read as follows: "Replacement of light standard and fixtures, not including a program for extensive replacement throughout a district or along an entire thoroughfare." Mr. Levy and Mr. Tatarian had recommended that the item be amended to read: "Replacement of light standards and fixtures." That amendment would have made all replacement of light fixtures and standards exempt from environmental impact review.

Allan B. Jacobs, Director of Planning, stated that the staff of the Department of City Planning had given a great deal of consideration to the amendment which had been requested by Mr. Levy and Mr. Tatarian; and, in the end, they had recommended that no change be made in Item 1(c)8. He stated that the point which was made in the letter from Mr. Tatarian was that the Department of Public Works could understand how lack of street lighting could have an environmental impact but that they could not see how replacement of street lighting would have adverse environmental effects. The Department of City Planning, on the other hand, was concerned not only about the amount of light but also about the policies in the Urban Design Plan relating to street lighting design; and he remarked that the Department of City Planning had not yet been able to make much headway in achieving the goals stated in the Urban Design Plan.

John Cribbs, assistant to the City Engineer, stated that his office supported the recommendations which had been made by Mr. Svirsky for two changes in the list of categorical exemptions; however, he confirmed that they continued to feel that Item 1(c)8 should be amended, also, so that replacement of existing lighting fixtures and standards would be exempt from the environmental impact requirements. He stated that the policies and principles of the Urban Design Plan relating to lighting fixtures and standards are based on aesthetic considerations; and he did not feel that it should be necessary to go through environmental impact procedures to reach agreement on aesthetics. He urged that the requested amendment be approved.

President Newman asked if the language of Item 1(c)8 had been extracted from the State guidelines. The Director replied in the negative, indicating that the language of that item had been prepared by the staff of the Department of City Planning. He remarked that street lighting replacement programs need not be carried out on a one-for-one basis; and he indicated that the staff of the Department of City Planning would be concerned if a particular project involved replacement on a seven-to-one basis, for instance. He emphasized that the language which had been proposed by the staff of the Department of City Planning would not cover replacement of street lighting fixtures on single blocks but would pertain only to more extended projects.

Commissioner Ritchie noted that Mr. Tatarian's letter had stated that he was unable to see where the installation of street lighting along any of San Francisco's streets could have an adverse environmental effect; however, he assumed that the Director felt differently. The Director confirmed that he felt that installation of street lighting could have a detrimental environmental effect.

Commissioner Ritchie remarked that it was his personal opinion that some of the City's new street lighting fixtures, while giving more light, are designed in such a way that they make the streets on which they are located look awful. The Director stated that that was a basic concern of the staff of the Department of City Planning.

Commissioner Miller observed that any large street lighting project would come before the City Planning Commission in the Capital Improvement Program; and he questioned whether such projects should be reviewed by the Commission twice. The Director replied that many other projects which would have to come before the Commission for environmental impact review would come before the Commission at other times, also.

Commissioner Fleishhacker inquired about the degree to which the Department of City Planning should be involved in street lighting projects. The Director replied that street lighting projects are usually not reviewed by the Department of City Planning; however, because of the concerns expressed in the Urban Design Plan, he felt that such projects should not be categorically exempt from the environmental impact requirements when they are of major proportions.

Commissioner Fleishhacker then asked if the Commission could veto a street lighting project if it felt that the project would have a detrimental effect on the environment. The Director replied in the negative, noting that the Commission does not decide such matters and that the State law specifies only that environmental concerns must be considered in any event; however, he indicated that the Board of Supervisors could veto such a project.

Commissioner Fleishhacker stated that it seemed to him that the language of Item 1(c)8 was unclear and subjective; and he questioned whether the item, as worded, would meet the objectives of the staff of the Department of City Planning. For instance, he felt that the words "district" and "extensive" should be more clearly defined; and, in addition, it appeared to him that any replacement project which would not extend along the entire length of a thoroughfare would automatically be exempt. He suggested that the language should be made stronger, perhaps even to the point of saying that light fixtures and standards are not exempt from environmental impact review.

The Director felt that the language which had been recommended by the staff of the Department of City Planning would be workable.

After further discussion it was moved by Commissioner Ritchie and seconded by Commissioner Rueda that the draft resolution, as recommended by the staff of the Department of City Planning, be adopted.

Commissioner Fleishhacker stated that he would be prepared to support the motion, leaving the language of Item 1(c)8 unchanged. However, if the Department of Public Works continued to be concerned about that item after they have had actual experience with it, the Commission could give further consideration to the matter.

Mr. Cribbs stated that his office was anxious to proceed with the street lighting program which had been approved by the voters, installing new fixtures in the areas indicated at the time of the bond issue and providing the amount of light promised. The Director noted that the voters did not approve a specific design for street lighting fixtures when they passed the bond issue.

When the question was called, the Commission voted to adopt the draft resolution, as recommended by the staff of the Department of City Planning, as City Planning Commission Resolution No. 7007.

The meeting was adjourned at 4:15 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

ABG

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, May 3, 1973.

The City Planning Commission met pursuant to notice on Thursday, May 3, 1973, at 1:45 P.M. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice President.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Daniel Sullivan, Planner IV - (Zoning); Alec Bash, Planner III; Emily Hill, Planner II; Russell Watson, Planner II; Linda Ferbert, Planner I; Lawrence Sauve, Planner I; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of April 12, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that the Regular Meeting scheduled for next Thursday afternoon will be cancelled. However, he reminded the Commission that a Special Meeting will be held at 7:30 p.m. that evening in Room 282, City Hall, for consideration of the revised Improvement Plan for Recreation and Open Space.

The Director informed the Commission that the staff of the Department of City Planning had met on Wednesday with various department heads to discuss the State required Safety element of the Master Plan and the coordination which will be needed for preparation of the plan. It was decided that the Department of City Planning will be responsible for coordinating the work and will probably be responsible for the final report, also.

The Director commented on the fact that the Board of Supervisors, on Monday, had voted 10-1 to disapprove the Department of Public Work's proposal for traffic channelization at St. Francis Circle, leaving a question as to how seriously the Board is taking its own transit priority policy.

MAY 3, 1973

The Director informed the Commission that he and President Newman will accept an award for the Urban Design Plan from the American Institute of Architects next Monday.

The Director reported that the Academy of Sciences' appeal of his determination that an Environmental Impact Report is necessary for their expansion program, originally scheduled for hearing today, had been withdrawn. An Environmental Impact Report will be prepared.

At 1:55 p.m. President Newman announced a five-minute recess. The meeting was reconvened at 2:00 p.m. At this point in the proceedings, Commissioners Mellon and Ritchie arrived in the meeting room and assumed their seats at the Commission table.

2:00 P.M. ZONING HEARING

ZM73.14 EVANS AVENUE, SOUTHEAST CORNER OF KEITH STREET.
C-M TO AN M-1 DISTRICT

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 300 feet of frontage on Evans Avenue and 200 feet of frontage on Keith Street for a total area of approximately 60,000 square feet. The property, which is owned by the San Francisco Redevelopment Agency, is vacant. The Redevelopment Agency had requested that the property be rezoned from C-M to M-1, bringing the zoning classification of the property into compliance with the land use plan for the Butchertown Redevelopment Area in order that the land could be offered for sale.

Earl Mills, project manager for the India Basin Industrial Park Project, confirmed that the purpose of the rezoning was to bring the classification of the property into conformity with the Redevelopment Plan. He stated that the property will be offered for sale in the fall.

Commissioner Fleishhacker asked if the deed could contain a restriction requiring that the property be developed with a particular use. Mr. Mills replied in the affirmative.

President Newman asked about the present status of the India Basin Industrial Park Project. Mr. Mills replied that the Redevelopment Agency had spent \$23,000,000 on the project over the past three years; and he indicated that they plan to market the first land in the fall. At that time, 30 acres of heavy industrial land will be offered for sale; and, subsequently, 60 acres of light industrial land will be put on the market.

Commissioner Farrell asked if land in the redevelopment project area would be offered for sale on an open bid basis. Mr. Mills replied that properties in the area would be offered for sale at a flat price; and he indicated that final selection would be made on the basis of the projects proposed. One of the criteria to be used in making the selection would be the number of jobs to be created, since one of the principle purposes of the project is to create jobs.

MAY 3, 1973

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that the application be approved. He noted that the reclassification would be in accord with the land use plan of the Redevelopment Plan; and, as such, the reclassification would be required by the cooperation agreement between the City and the Redevelopment Agency. He also remarked that the development which would be permitted as a result of the zone change would be compatible with adjacent development and uses in both the India Basin Project and the Hunters Point Project.

After further discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7008 be adopted and that the application be approved.

ZM73.15 MENDELL STREET, NORTHWEST SIDE BETWEEN FAIRFAX AND EVANS AVENUES.
M-1 to an M-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with 100 feet of frontage on Fairfax and Evans Avenues and 200 feet of frontage on Mendell Street for a total area of 20,000 square feet. The property, which is presently used for stock feeding pens, is now zoned M-1. The Redevelopment Agency had requested that the property be reclassified to M-2 to bring the zoning classification into compliance with the land use plan for the Butchertown Redevelopment Area so that the land could be offered for sale.

Earl Mills, Project Manager for the India Basin Industrial Park Project, was present to answer any questions which might be raised by members of the Commission.

No one else was present in the audience to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that the application be approved. He remarked that the reclassification would be in accord with the land use plan of the Redevelopment Plan; and, as such, it would be required by the cooperation agreement between the City and the Redevelopment Agency. He also indicated that the development which would be permitted under the requested zoning would be compatible with adjacent developments and uses in both the India Basin Project and the Hunters Point Project.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7009 be adopted and that the subject application be approved.

CU73.19 1262-66 FELL STREET, NORTH LINE, 131 FEET EAST OF BRODERICK STREET.
REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR NINE AMBULATORY INDIVIDUALS, IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular interior parcel with a frontage of 25 feet on Fell Street and a depth of 137.5 feet for a total area of 3437.5 square feet. The property is zoned R-4 and is presently used as a boarding home for nine mental hygiene patients who occupy the first and second floors of the building. The third floor is in single-family use by the operator of the care home. The applicant had requested permission to continue the use of the property.

Paul Boland, representing the applicant, indicated that he was present to answer any questions which might be raised by members of the Commission.

No one else was present to be heard in support of or in opposition to the application.

Mr. Steele recommended that the application be approved subject to five conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

After discussion, it was moved by Commissioner Fleishbacker, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7010 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU73.13 2098 LOMBARD STREET, NORTHEAST CORNER OF FILLMORE STREET.
REQUEST FOR AUTHORIZATION FOR RENTAL OF AUTOMOBILES ON AN
EXISTING AUTOMOBILE SERVICE STATION LOT, IN A C-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular lot with 60 feet of frontage on Fillmore Street and 110 feet of frontage on Lombard Street for a total area of 6,600 square feet. The property is zoned C-2 and is presently occupied by a Texaco automobile service station. An automobile rental agency has been operating on the subject site for some time without a conditional use; and the subject application had been filed to legalize that use. He stated that the Department of City Planning had determined that the proposal could not have a significant effect on the environment; and he indicated that a Negative Declaration had been filed.

The applicant was not present. No one from the audience wished to speak in favor of or in opposition to the application.

Mr. Steele recommended that the application be approved subject to seven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions had been discussed with the applicant and if he had found them to be acceptable. Mr. Steele replied in the affirmative.

Commissioner Fleishhacker, noting that the subject property had been used illegally for the automobile rental for approximately one year, suggested that the larger automobile rental firms, such as Hertz and Avis, should be advised of the provisions of the City Planning Code applicable to car rental activities. Mr. Steele replied that notification had been given in the past; however, with changes in personnel, the information had apparently been forgotten.

Commissioner Fleishhacker suggested that a letter should be sent to higher level individuals, such as the presidents of the firms.

President Newman asked if operators of illegal automobile rental agencies can be penalized. Mr. Steele replied in the affirmative, indicating that such illegal activities, constituting misdemeanors, can be subject to a fine of \$500 per day. Usually, however, the staff of the Department of City Planning attempts to seek abatement of the illegal uses rather than to seek punitive action.

President Newman requested that a letter be sent to automobile rental agencies advising them of the provisions of the City Planning Code relative to automobile rental activities.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Farrell, and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 7011 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

At 2:25 President Newman announced a 35-minute recess. The Commission reconvened at 3:00 P.M. and proceeded with hearing of the agenda.

EE-145 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT FOR A RETAIL STORE, RESTAURANT AND OFFICE COMPLEX PROPOSED FOR THE WESTERN HALF OF THE BLOCK BOUNDED BY BEACH AND POWELL STREETS AND THE EMBARCADERO

Robert Passmore, Planner V - (Zoning), summarized the report and an addendum which had been prepared by the staff of the Department of City Planning which discussed the effect which the project would have on the environment if only 100 off-street parking spaces were provided rather than the 200 spaces which had been proposed by the applicant.

No one was present in the audience to speak on this matter.

After discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7012 be adopted with the following resolves:

MAY 3, 1973

"1. RESOLVED, that the City Planning Commission does hereby find that the final environmental impact report, dated May 3, 1973, concerning 'Victorian Village', vicinity of Beach Street, Powell Street, and the Embarcadero, is adequate, accurate, and objective, and does hereby CERTIFY THE COMPLETION of said report;

"2. AND BE IT FURTHER RESOLVED, that the Commission, in certifying the completion of said report, does hereby find that the project, as proposed, will not have a significant effect on the environment;

"3. AND BE IT FURTHER RESOLVED, that the Commission takes said final environmental impact report into consideration before acting on the project itself under CU73.17, and does hereby signify such consideration by adopting said report."

Commissioner Ritchie abstained from voting because his real estate firm had served in an advisory capacity to the applicant.

A public tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription.

CU73.17 WESTERN HALF OF THE BLOCK BOUNDED BY BEACH AND POWELL STREET AND THE EMBARCADERO
REQUEST FOR AUTHORIZATION FOR A RETAIL STORE, RESTAURANT AND OFFICE COMPLEX OF APPROXIMATELY 60,000 SQUARE FEET OF FLOOR SPACE IN RELOCATED VICTORIAN BUILDINGS AND NEW STRUCTURES, WITH APPROXIMATELY 200 OFF-STREET PARKING SPACES; IN A C-2 DISTRICT, IN NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 1 AND, IN THE 40-X HEIGHT AND BULK DISTRICT.

Robert Passmore, Planner V - (Zoning), referred to land use and zoning maps to describe the subject property which has 255 feet of frontage on Powell Street, 200 feet of frontage on Beach Street, and 210 feet on the Embarcadero for a total area of 43,500 square feet. The property is presently used as a sorting yard for the Belt Line Railroad and is occupied by a lumber company shed and office and the Eagle Cafe. He stated that the applicant proposed to provide approximately 6,000 square feet of retail store, restaurant and office space in relocated Victorian buildings and new structures, with approximately 200 off-street parking spaces.

David Kirchoff, representing the developer, displayed photographs of Victorian buildings in the Western Addition which would be relocated to the subject site. He stated that ground floor space in the new complex would be used for retail stores and offices; and the upper floors would be occupied by offices. He indicated that 200 off-street parking spaces would be constructed below grade for the project.

Commissioner Fleishhacker, noting that the staff of the Department of City Planning had amended the Environmental Impact Report for the project with an analysis of the effect which modified plans reducing the number of off-street parking spaces to 100 would have on the environment, inquired about the applicant's position regarding the off-street parking issue. Mr. Kirchoff replied that the project would be able to use as much parking as it is feasible to provide on the site. He stated that tenants of offices in the projects will want to reserve permanent parking stalls; and, as a result, the stalls available for retail customers will be limited. He indicated that the entrance to the parking garage was being proposed on Beach Street because the staff of the Department of City Planning had felt that Powell Street should be pedestrian-oriented.

Commissioner Farrell asked how many structures would be relocated to the subject site from the Western Addition. Mr. Kirchoff replied that fifteen structures would be moved and supplemented with some new construction. In some cases, it would be possible to move only the top two floors of the Victorian buildings. The entire first floor of the project would be new construction.

Commissioner Farrell asked how the buildings which are to be moved had been selected. Mr. Kirchoff replied that twenty-five buildings were available; and he felt that the ones which had been selected for the proposed project were the best of the lot.

Commissioner Rueda asked if the interiors of the buildings would be preserved. Mr. Kirchoff replied in the negative, stating that the interiors of the buildings would be gutted and that only the shells would be preserved.

Commissioner Mellon inquired if the retail stores would be open at night. Mr. Kirchoff replied in the affirmative, indicating that they would probably be open at least until 9 or 10:00 P.M. during the tourist season. In reply to a further question raised by Commissioner Mellon, Mr. Kirchoff stated that he felt that the fact that the shops would be open at night would contribute to the need for additional parking spaces on the site.

President Newman asked if all of the buildings would be moved at one time. Mr. Kirchoff replied that all of the buildings would be moved on a Saturday night, starting at 2:00 a.m. He indicated that two alternate routes were being considered for movement of the buildings.

President Newman noted that the subject property is owned by the Port; and he inquired if the applicants had obtained a lease on the property. Mr. Kirchoff replied in the negative. He stated that open bid procedures were to have been held in April but were delayed. Bids will now be accepted on May 16, and a final decision will be rendered on May 31. He believed that the only type of project which would compete with the proposed project would be a hotel; and he was confident that he would be able to outbid any project of that sort.

President Newman asked if the staff of the Department of City Planning was aware of any other projects being considered for the site. Mr. Passmore replied that no other formal proposals had been made to the staff and indicated that any project proposed for the site which would not be related to port activities would have to come before the Commission for conditional use authorization.

Commissioner Rueda inquired about the terms of the lease. Mr. Kirchoff replied that the least would run for 66 years; and he indicated that payment would be based on a percentage of revenues. He anticipated that revenues from the proposed project would reach six or seven million dollars in approximately two years; and, in addition to a percentage of that revenue, the City would receive sales tax, parking tax, and ad valorem tax. He also remarked that construction costs for the project would be approximately \$3 million.

Commissioner Rueda asked what type of offices the developers of the proposed project expected to attract. Mr. Kirchoff responded that the project would probably be attractive to attorneys and professional people who maintain small offices. While no contracts had yet been made with prospective tenants, letters of inquiry had been received regarding office space and retail space in the project.

Commissioner Farrell asked if the restaurants to be included in the project would be similar to those located at Fisherman's Wharf. Mr. Kirchoff replied that the project would contain a mixture of restaurants.

Mrs. G. Bland Platt, representing the Landmarks Preservation Advisory Board, read and submitted the following prepared statement:

"I am appearing before you today by unanimous vote of the Landmarks Preservation Advisory Board at its Regular Meeting of April 4, 1973, to endorse in principle Mr. Kirchoff's proposal now before you.

"Since its inception in June, 1967, the Landmarks Board has been deeply concerned with and involved in the preservation of architecturally, historically and aesthetically significant structures in the Western Addition A-2 project area. In November, 1967, the Board came to you for support in this endeavor. With the passage of your Resolution Number 6147 endorsing our proposals, we began what has become a six year project.

"After the Redevelopment Agency had committed itself to the rehabilitation on site of a specific list of meritorious structures, we determined to focus our attention primarily on those structures which, while considered of outstanding merit, could not remain on site. We developed a plan with the Redevelopment Agency for relocation of some of these structures to other sites within the project area. The Foundation for San Francisco's Architectural Heritage is actively involved at the present time in implementing this particular facet of the plan. We then convinced the Agency to offer the

remaining buildings to the general public for removal from the area since no space could be found for them within. Mr. Kirchoff's proposal, now before you, will, if accepted by you and then by the Port Authority, fulfill the second important phase of our Redevelopment program.

"While the Landmarks Board feels that the preservation of these structures is extremely important, we also wish to commend to you the project itself which we have guided and nurtured, along with the Western Addition Redevelopment Agency staff, from the very beginning. While we have not reviewed the plans and proposals specifically before you today, that not being our province, our long involvement with this project leads us to believe that it will provide an exciting and economically viable re-use of architecturally significant structures which will be sensitively restored and/or rehabilitated. This is, of course, the essence of historic preservation as we view it today.

"In closing, then, the Landmarks Preservation Advisory Board, supporting the Kirchoff Plan in principle, asks that you give every consideration to these factors in making your determination."

No one else was present in the audience to speak in favor of or in opposition to the subject application.

Mr. Passmore recommended that the application be approved subject to eight specific conditions contained in a draft resolution which had been prepared for consideration by the Commission. He summarized the conditions and emphasized that Condition No. 1 would permit the applicant to reduce the 200 independently accessible parking spaces indicated on the preliminary plans to not less than 100 independently accessible spaces. He then recommended that the draft resolution be adopted.

Commissioner Fleishhacker pointed out that Condition No. 1 specified that the number of parking spaces "may be reduced"; but the language was not clear as to whether the developer or the staff of the Department of City Planning would make such a decision.

Mr. Passmore stated that the intention was that the decision should be made by the developer; and he indicated that the language of the condition could be revised to make that point clear.

President Newman asked how many of the spaces being proposed would be occupied by tenants of the offices and shops in the project. Mr. Passmore replied that the staff of the Department of City Planning had estimated that approximately 100 stalls would be occupied by tenants of the project. The applicant, however, had estimated that approximately 125 stalls would be occupied by the tenants and visitors of the project, leaving 75 spaces available for use by other businesses in the area. In the long run, use of the parking spaces would depend upon the extent that the use of transit is encouraged.

President Newman remarked that it seemed to him that reduction of the number of parking spaces being proposed to 100 would cause traffic problems in the area. Mr. Passmore replied that the Department's policy has been that major new parking facilities should be located south of Beach Street so that automobiles will not interfere with pedestrian movements along the waterfront; and, as demand for parking spaces in that area increases, he was confident that new parking facilities will be constructed.

President Newman still questioned whether it would be wise to allow the present applicant to reduce the number of parking spaces for the project to a number which might not be sufficient; and he asked for the staff's opinion as to the number of parking spaces which would be satisfactory for the project. Mr. Passmore stated that the proposed project would need a minimum of 200 off-street parking spaces if it were located elsewhere. In the present case, however, the feeling of the staff had been tempered because of pedestrian traffic in the immediate vicinity, the nature of Fisherman's Wharf business and the convenient availability of public transit. Additionally, he stated that it may be difficult to provide 200 off-street parking spaces on two levels below grade on the subject site. If construction of such a garage should prove infeasible, the applicant would have to return to the Commission with a new environmental impact report and a new conditional use application if the resolution to be adopted by the Commission did not provide for reduction of the number of parking spaces. In conclusion, he stated that it was the belief of the staff of the Department of City Planning that 100 parking spaces would be sufficient to meet parking generation needs of the project.

Mr. Kirchoff stated that the applicant wished to provide as many parking spaces as the site will accommodate. He understood that the staff of the Department of City Planning worked on the theory that parking spaces, if provided, may attract automobiles to an area; and he indicated that he was not sure if he agreed with that philosophy.

Commissioner Fleishhacker suggested that the resolution to be adopted by the Commission should specify that 200 off-street parking spaces should be provided. He noted that the applicant's representative had indicated that they intended to provide 200 off-street parking spaces; and, if they should change their minds, they could come back to the Commission for permission to reduce the number of spaces.

Mr. Passmore recommended that Condition No. 1 of the draft resolution be revised to require that the applicant provide approximately 200 totally enclosed parking spaces.

Subsequently Commissioner Fleishhacker moved and Commissioner Ritchie seconded that the draft resolution, as revised, be adopted.

Commissioner Ritchie stated that he, as President of the California Historical Society, was in favor of preservation of Victorian Buildings; however, as president of a downtown real estate firm which had been advising the applicant, he felt that he should abstain from voting on the subject application.

MAY 3, 1973

When the question was called, the Commission voted unanimously to adopt the draft resolution, as modified, as City Planning Commission Resolution No. 7013 and to approve the application subject to the conditions which had been recommended by Mr. Passmore, as modified. Commissioner Ritchie abstained from voting.

EE146 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT FOR A PARKING GARAGE FOR APPROXIMATELY 210 AUTOMOBILES PROPOSED FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF KEARNY AND PINE STREETS.

Commissioner Fleishhacker announced that he intended to abstain from participation in discussion or voting on this matter because he has an interest in an adjacent parcel of property.

Robert Passmore, Planner V (Zoning) described the subject of the Environmental Impact Report and outlined the actions to be taken by the Commission concerning the report.

The Commission received the comments of Stewart Bloom, a representative of the San Francisco Loyal Opposition, concerning possible adverse effects resulting from the introduction of additional traffic in the downtown area. The nature of the proposed operation, and negotiations which would be required between various City agencies and the applicant prior to final approval of the proposed project, were reviewed by the Commission with Mr. Passmore and Mr. S. E. Onorato, applicant for the proposed project.

Mr. Passmore recommended that page 4 of the Environmental Impact Report be amended to include potential traffic generation figures implied, but not stated in the draft report, and that a transcript of Mr. Bloom's remarks be added at the end of the report. Mr. Passmore stated that the amendment and addition were not substantive in nature, but would indicate a difference in public opinion expressed by Mr. Bloom over the degree of environmental impact caused by the proposed project. Mr. Passmore advised that the amendment and addition would make the report complete.

Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7014 be adopted with the following resolves:

"RESOLVED, that the City Planning Commission does hereby find that the final Environmental Impact Report, dated May 3, 1973, concerning 'parking and commercial building, northwest corner of Kearny and Pine Streets', is adequate, accurate and objective, and does hereby certify the completion of said report; and

"BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said report, does hereby find that the project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, that the Commission takes said final environmental impact report into consideration before acting on the project itself under CU73.18, and does hereby signify such consideration by adopting said report."

CU73.18 - 401 KEARNY STREET, NORTHWEST CORNER OF PINE STREET.

REQUEST FOR AUTHORIZATION FOR A PARKING GARAGE FOR APPROXIMATELY 210 AUTOMOBILES: IN AN C-3-0 DISTRICT AND IN A 320-I HEIGHT AND BULK DISTRICT.

Robert Passmore, Planner V - (Zoning), referred to land use and zoning maps to describe the subject property which has a total area of 13,895 square feet. He stated that the applicant proposed to construct a five-story and basement garage building topped with a fully landscaped park over the entire roof of the building and extending approximately 75 feet to the west over the existing exposed roof parking of St. Mary's Square Garage. The ground floor and basement of the proposed building were intended for commercial tenants; and the four floors above were to be used for approximately 210 attendant parking spaces with access from the existing St. Mary's Square Garage. Maximum height of the proposed structure would be 62 feet 4 inches along the Kearny Street frontage. The new park surface would be connected to the existing St. Mary's Square Park with a stair near the central area of the existing park. The new park would add approximately 80 percent more area to the existing park. In conclusion, Mr. Passmore stated that the Environmental Impact Report, which had just been adopted by the Commission, contained additional description of the applicant's proposal.

S. E. Onorato, the applicant, indicated that he was present to answer any questions which might be raised by members of the Commission.

President Newman remarked that the elevations which were on display in the meeting room made it appear that there would be a significant difference in elevation between the existing park and the proposed park; and he asked for a more detailed description of the relationship between the two landscaped areas. Mr. Onorato and his engineer described the relationship between the two landscaped areas, indicating that there would be a difference in elevation of 12 feet between the two.

Commissioner Ritchie remarked that he thought that the design of the proposed building was quite striking; and he inquired about the materials which would be used for the facade of the building. Mr. Allan, the architect, indicated that the facade of the building would be of concrete in a diamond-shaped structural pattern, behind which would be anodized metal louvers; and he felt that people walking on Pine Street would not realize that the new building housed a parking garage.

President Newman stated that he was concerned about the fact that people using the existing park would be confronted with a concrete wall at the point where the two sections of the park would meet. Mr. Onorato replied that the concrete wall exists at the present time; and he indicated that it is covered with ivy and hardly noticeable.

No one else was present to speak in support of or in opposition to the subject application.

Mr. Passmore recommended that the application be approved subject to nine conditions, eight of which were contained in a draft resolution which he had prepared for consideration by the Commission. The ninth condition would require the applicant to provide space within the garage for storage of bicycles. He then summarized the conditions, emphasizing Condition No. 4 which would require final plans to provide access from the landscaped roof area to Kearny Street in a manner which would be visually perceptible to persons on Kearny Street and which would, in addition, specify that the facades of the building and rooftop landscaping should be developed in a manner which would maximize, to the extent practicable, the visual understanding by persons on Kearny Street of the proposed extension of St. Mary's Square Park over the garage. He then recommended that the draft resolution, as modified, be adopted.

Commissioner Ritchie stated that he had questions and objections about Conditions four, seven, eight, and nine, as recommended by Mr. Passmore; however, he was most concerned about Condition No. 4 which specified that access should be provided from the landscaped roof area to Kearny Street in a manner which would be visually perceptible to persons on Kearny Street. He remarked that the landscaped roof area would be 58 feet above the street; and he did not feel that it would be practical to fulfill the requirement which had been recommended by the staff.

Mr. Passmore stated that the only access to the landscaped roof area would be from the existing park; and, once in the new park, people would have no way of getting down to Kearny Street. This could result in a lack of security for persons using the landscaped area. In reply to a further question raised by Commissioner Ritchie as to how the access might be provided, Mr. Passmore suggested a stairway at the exterior of the building; another possibility would be to use a stairway already proposed having an exit through the existing garage building onto Kearny Street.

Commissioner Ritchie felt that it would be ridiculous to require the applicant to provide access to Kearny Street from the landscaped roofed area by way of a 58-foot high stairwell.

Commissioner Mellon stated that he tended to agree with Commissioner Ritchie that few people would use a 58-foot stairway to the landscaped roof-top area. A glass elevator might be desirable; however, he would be loath to require the applicant to go to such expense.

Mr. Passmore stated that a stairwell may be required as a safety feature by the Fire Department for egress purposes.

Mr. Onorato stated that the smoke tower on the Pine Street frontage of the building would serve as an escape from the building in case of a fire; and he felt that it would be possible to provide access to the rooftop in that area. He agreed with Commissioner Ritchie that people would not use a stairway from Kearny Street for access to the rooftop area; and, as a result, he felt that Condition No. 4, as recommended by the staff of the Department of City Planning, would not be acceptable. He

remarked that people may use escalators and elevators within the garage structure to facilitate access to the rooftop from Kearny Street.

Commissioner Ritchie felt that the last portion of Condition No. 4 should be stricken from the draft resolution. If the Commission were to adopt such a stipulation, it would be interfering with the design of the proposed project beyond the scope of its responsibility.

President Newman asked if the other conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Onorato stated that he was in favor of the requirement for planting trees on the sidewalks adjacent to the building. However, he felt that there should be some flexibility in the bicycle storage requirement which had been recommended by the staff of the Department of City Planning; and he suggested that bicycle storage should be limited to a bicycle rack located on the ground floor just off Kearny Street. If bicycle racks were to be required on all floors of the building, they could prove to be a nuisance for his attendants.

Commissioner Ritchie stated that he was also concerned about Condition No. 8 of the draft resolution which specified that the number of parking spaces allocated to long term parking in the combined facilities shall not exceed the number of spaces allocated for this purpose in the existing St. Mary's Square Garage; and he also questioned the desirability of Condition No. 9, as recommended by Mr. Passmore, which would require the applicant to provide for storage of bicycles. He did not feel that the Commission should place itself in the position of telling a businessman how to run his business. He also objected to Condition No. 7 of the draft resolution which would require replacement of the existing vertical projecting parking sign on the Kearny Street frontage of St. Mary's Square Garage with a smaller sign approved by the Department of City Planning prior to occupancy of the garage. It seemed to him that the staff's intent in suggesting that condition was to "strongarm" the applicant into making changes in the existing building. He remarked that it is hard enough for businessmen to make money today; and he felt that it would be wrong for the Commission to "place its hand in the applicant's pocket" to the extent recommended by the staff. He suggested that Conditions Nos. 7, 8 and 9 should be stricken from the resolution.

Mr. Passmore stated that the conditions pertaining to long-term parking and bicycle storage had been included in the draft resolution because of Master Plan policies which had been adopted by the Commission. The Master Plan states that long-term parking should be discouraged and that short-term parking should be encouraged. The Master Plan also encourages provision of space for storage of bicycles in parking garages where practical. He noted that the condition which had been recommended by the staff relating to bicycle storage did not specify how many bicycles should be accommodated; and he indicated that Mr. Onorato's proposal to place a bicycle storage rack near the Kearny Street entrance of the garage would satisfy the condition.

Mr. Onorato stated that he would have no objection to changing signs on the existing building, in view of the fact that times have changed since the building was originally constructed; however, he would object to being placed in a position of having to take down the existing sign before obtaining approval for a replacement sign.

Commissioner Ritchie remarked that it appeared that the matter of the sign could be worked out and that the condition pertaining to bicycle storage was not an issue; however, he continued to feel that the draft resolution should be amended and that Condition No. 3 and the last part of Condition No. 4 should be deleted.

Commissioner Rueda remarked that the portion of Condition No. 4 which would remain would specify that final plans for the building must be approved by the City Planning Commission prior to the filing for the necessary permits. He felt that approval by the staff, rather than the Commission, would be sufficient.

Commissioner Ritchie felt that it would be preferable to require approval by the Commission in case any further disagreements were to develop between the applicant and the staff.

Commissioner Mellon asked if the requirement for approval of final plans by the City Planning Commission prior to filing for necessary building permits would prevent the applicant from moving ahead with his project.

Mr. Onorato stated that he did not intend to complete plans for the project until legal aspects of the proposal relating to other City departments, have been resolved. He then remarked that the staff of the Department of City Planning had requested that the parapet wall of the new building be set back so that the roof-top landscaping would be visible from the street; and he indicated that he objected to that suggestion. He stated that he intended to plant shrubbery around the entire roof; however, if the parapet wall were to be moved, problems might develop if a gardener should forget and leave water running all night.

President Newman observed that such problems could be resolved by the Commission when it is conducting its review of the final plans for the project. He asked who would be responsible for maintaining the newly landscaped roof area.

Mr. Onorato stated that it was his proposal that the new roof-top landscaping should be maintained by the Recreation and Park Department. He felt that the cost of maintenance would be slight and that it would be more than off-set by the income which the City would receive from the project. He also informed the Commission that the City would have an option to purchase the facility when his lease for operation of the garage expires. If the City were to build such a facility today, an expenditure of 4 or 5 million dollars would be required; and, in addition, the City would lose tax revenue.

Mr. Mellon remarked that the Recreation and Park Department has never received sufficient funding from the City; and, under the circumstances, his preference would be to have the rooftop maintained by the owner of the building.

Mr. Onorato emphasized that the proposed project would increase the City's revenue; and, in any case, he felt that both the existing park and the new landscaped roof-top area should be maintained by the same party.

Commissioner Ritchie asked if the applicant had any objection to Condition No. 8 as recommended by the Department of City Planning. Mr. Onorato replied in the negative.

Subsequently, it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the draft resolution, as modified by deletion of the second sentence in Condition No. 4, be adopted as City Planning Commission Resolution No. 7015 and that the application be approved subject to the conditions contained in the draft resolution, as revised.

At this point in the proceedings, Commissioner Fleishhacker returned to his seat at the Commission table.

EE147 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT FOR A 24 UNIT,
160 FOOT HIGH APARTMENT BUILDING PROPOSED FOR PROPERTY LOCATED
AT 714 STOCKTON STREET.

No one was present to address the Commission on this matter.

After discussion, it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7016 be adopted with the following resolves:

"RESOLVED, that the City Planning Commission does hereby find that the final Environmental Impact Report, dated May 3, 1973, concerning '24 unit building, 714 Stockton Street,' is adequate, accurate, and objective, and does hereby certify the completion of said report;

"AND BE IT FURTHER RESOLVED, that the Commission, in certifying the completion of said report, does hereby find that the project, as proposed, will not have a significant effect on the environment."

A standard tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription.

CU73.16 - 416 HOFFMAN AVENUE, WEST LINE, 160 FEET SOUTH OF 24TH STREET.
REQUEST FOR AUTHORIZATION FOR OFFICE SPACE FOR A PHILANTHROPIC
INSTITUTION, THE ASSOCIATION FOR HUMANISTIC PSYCHOLOGY; IN AN
R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular lot with 25 feet of frontage on Hoffman Avenue and a depth of 125 feet for a total area of 3,125 square feet. He stated that the residential building occupying the property has been used for offices by the Association for Humanistic Psychology. That use was illegal without conditional use authorization; and enforcement action which had been taken by the Department of City Planning and the Property Conservation Division of the Department of Public Works had led to filing of the subject application. He stated that the Department of City Planning had determined that the proposal could not have a significant effect on the environment and had filed a Negative Declaration.

Robert Canter, representing the applicant, stated that the Association for Humanistic Psychology had been using the subject property for offices for the past two years; and no significant effect on the environment had resulted. He stated that the building is used only for administrative offices; and he indicated that none of the programs of the organization are conducted on site. The only complaint which had been received related to parking; and, after that problem had been called to their attention, they had instructed their staff members that they should not park their automobiles in the immediate neighborhood. If the subject application were to be approved, the organization would proceed to make structural changes in the building as required by the Building Code.

Commissioner Fleishhacker inquired about the nature of the organization and its status as an eleemosynary institution. Mr. Canter replied that the organization is a charitable, non-profit organization and is part of an international organization. It is involved in securing funds for various charitable causes dealing with humanistic psychology.

Commissioner Fleishhacker asked if the organization has tax exempt status. Mr. Canter replied in the affirmative.

Mr. Rueda asked if the organization does counseling work. Mr. Canter replied in the affirmative but indicated that such sessions are not held on the subject property. In reply to a further question raised by Commissioner Rueda regarding the amount of traffic which is generated by the use, another representative of the organization stated that the property is used only during daylight hours on weekdays. The permanent staff operating on the premises consists of four people; however, other people are occasionally hired for temporary projects.

Commissioner Farrell asked if the office operation on the subject property is concerned mainly with handling and storage of paper. A representative of the organization replied in the affirmative, indicating that newsletters, journals, and other forms of correspondence are mailed from the office.

President Newman asked if the organization has other offices in San Francisco and received a negative response.

MAY 3, 1973

Mr. Canter stated that he had received a letter from George Calmanson, owner of property at 474 Hoffman Street, in support of the subject application.

Philip Hassel, 437 Hoffman Street, stated that he has lived in the subject neighborhood since October, 1968. He has two pre-school aged children. He stated that he was representing neighborhood opposition to the subject application; and he indicated that approximately 78 signatures had been obtained from nearby residents on a petition which had been circulated in opposition to the proposed project. The resolution specified that the signatures were opposed to the application for the following reasons:

- "1. Such a building use would detract substantially from the residential character of the neighborhood;
- "2. Such a building use would remove a family dwelling (zoned R-2) from a dynamic, middle-income residential neighborhood that is now on the 'upgrade' (many households have painted, remodeled, and have generally made their residences more liveable);
- "3. The removal of two units from the housing market would only increase the severity of the mid-income housing market shortage; such a shortage of course leads to increased rents;
- "4. Whether 'philanthropic' or not, such a building use has all the trappings of a commercial establishment, and the approval of a conditional use permit would set the precedent for such property use in the future;
- "5. There is no valid reason why this operation can not be carried on in an area zoned for commercial use;
- "6. The nine employees (and it should be pointed out that traffic in and out of the building is far more than nine per day) would not have (and have not had) any real stake in the neighborhood; they come and go, just as do the employees at any office building;
- "7. There is already one property (the Latvian Hall at 425 Hoffman Avenue) in the neighborhood that is used for non-residential purposes, and which creates problems of parking and traffic. The neighborhood does not need the additional problems created by an office building with at least nine employees, plus delivery trucks and other service vehicles. Some residents have found that even during daylight hours, they can not park conveniently close to their residences. Street parking for residents is important, due to the limited number of housing units with garage space.
- "8. Finally, we wish to reemphasize the strong residential character of this Noe Valley neighborhood. An office building in our midst, with all that it implies (as in 1-7, above), can only detract from the quality of neighborhood life."

Mr. Canter stated that the primary reason that the applicants wished to continue occupancy of the subject building is that they pay no rent, only taxes; and the money which they save can be used for other purposes. He also advised the Commission that he had been assured that employees of the organization do not park in the neighborhood.

Mr. Hassel stated that the applicants had used the subject property for approximately 1 and 1/2 years; and he indicated that property owners in the area had contacted the City at an early date because they were concerned about the added parking which the use brought to their residential neighborhood. While the applicant had stated that only one or two complaints had been made regarding the issue of parking, he believed that a greater number of complaints had been registered; and, in any case, he emphasized that the applicants knew well from the beginning that they were using the building in violation of the law.

A resident of the neighborhood who also serves as Secretary of the Friends of Noe Valley, stated that she was concerned about the preservation of the family residential character of the neighborhood; and, as a result, she was opposed to uses such as the one being proposed by the applicant. She stated that people were not only concerned about the parking but also about the fact that a person working in the building had brought a dog along and had allowed it to wander around the street all day. In reply to a question raised by President Newman as to whether she had noticed a deterioration in the neighborhood since the subject property had been used by the applicant, the speaker replied that she had noticed more congestion and more coming and going of people who contributed nothing to the area.

Clair Pilcher, 471 Hoffman Street, stated that she has resided in the neighborhood for nine years; and she indicated that she had left two notes on the door of the subject building about the fact that people employed in the building were parking their cars on the street. Subsequently, the cars were parked around the corner on 24th Street rather than on Hoffman Street. She remarked that many of the houses in the area do not have garages; and, while parking of a few additional cars on the street might seem like a trivial matter, it has affected the quality of life in the neighborhood.

Commissioner Ritchie inquired about the number of parking spaces available in the area. Mr. Hassel replied that there are 30 parking spaces and 19 garages to serve the 39 dwelling units along the street.

Jane Brady, 85 Homestead Street, stated that she was strenuously opposed to conditional use authorizations or variances which would legalize non-conforming uses in the subject neighborhood. She felt that no good basis had been presented for approving the application, except for the fact that the applicant's tenancy of the property is rent free; however, while continuation of the use might be of benefit to the applicants, their good fortune would be at the expense of the neighborhood.

A resident of 24th Street whose rear yard abuts the subject property objected to continued use of the building for office purposes. He stated that the property had not been well maintained; and he did not feel that suitable maintenance would be undertaken as long as the building is used for office space.

Ben Cohen, 461 Hoffman Street, stated that the building occupying the subject property, as well as others in the area, is an older structure; and, in view of the fact that printed materials are stored in the building and insofar as the building is occupied nights and weekends, he was concerned about the possibility that the use of the property constitutes a fire hazard. He stated that both buildings adjacent to the subject property are older structures with wood frame construction.

President Newman asked for a show of hands from people present in the audience in opposition to the subject application. A number of people responded.

Mr. Steele recommended that the application be disapproved. He stated that use of the building as an office had proven to be incompatible in the subject low-density neighborhood because it has brought increased activity, particularly traffic and parking; and it has caused inconvenience to residents of the area. He stated that the use resembles a general office of a school; and he felt that it would be most appropriately located in a commercial district convenient to public transit where the office could provide the services of the association to individuals without being incompatible and detrimental to its neighbors.

Mr. Canter felt that it was obvious that the issue of the possible fire hazard posed by the use would be resolved by the Fire Department. A solution could probably be effected by placing the papers in metal files or by requiring people to live on the premises. He stated that the applicants would be willing to try to conform to any conditions which the Commission might wish to establish if it were to approve the application.

Commissioner Ritchie asked Mr. Canter if he lives in the subject neighborhood. Mr. Canter replied in the negative.

Commissioner Ritchie then asked Mr. Canter how he would feel if a similar use were proposed in his neighborhood. Mr. Canter replied that he might object to the use if he felt that its approval might lead to similar developments in the area; and, if he were concerned about fire hazards and parking problems, he would probably object to anything which might be proposed. He emphasized, however, that the building had not resulted in any visual change in the area; and he felt that it had not generated an undue amount of traffic. Therefore, he did not view it as being any more objectionable than the grocery store on the corner. He remarked that residents of the neighborhood seemed to be primarily concerned about safety and fire hazards; and he indicated that he would not have sought conditional use authorization if he did not feel that those issues could not be resolved.

Commissioner Fleishhacker noted that the resolve of the draft resolution of disapproval which had been prepared by the staff contained the following statement: "The City Planning Commission finds that the conditions set forth in Section 303 of the City Planning Code are not met." He asked if the applicants were familiar with that section of the City Planning Code and received a negative response.

Mr. Steele stated that Section 303 of the City Planning Code specifies that the City Planning Commission may approve a conditional use application if the facts presented establish that the proposed use or feature at the size and intensity contemplated and at the proposed location will provide development that is necessary and desirable for, and compatible with the neighborhood or the community.

Commissioner Fleishhacker stated that it was his opinion that the applicants had failed to demonstrate that the proposed use would be necessary and desirable for or compatible with the subject neighborhood.

President Newman asked how much time would be given to the applicants to vacate the premises if the Commission were to disapprove the application. Mr. Steele replied that the applicant would be given a minimum of one month to relocate the use; and, if it could be shown that substantial progress was being made towards relocation, an extension of time could be granted.

After further discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker and carried unanimously that Resolution No. 7017 be adopted and that the subject application be disapproved.

ZM73.16 - 4711 - 4799 - 18TH STREET, SOUTH LINE, BETWEEN DANVERS AND
19TH STREETS.
R-3 TO AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject properties consisting of 19 Assessor's lots with 449.260 feet of frontage on 18th Street, 107 feet of frontage on Danvers Street, and 134.605 feet of frontage on 19th Street for a total area of approximately 48,818 square feet. Of the total of 19 lots in the subject area, a total of 11 lots (58%) are presently developed within the R-1 density standards. A total of 7 lots (37%) are developed within the R-2 Density standards. One lot is developed at the R-3 density standards. The properties are zoned R-3; and the applicants had requested that they be reclassified to R-2. Twenty-two individuals had filed the application, including 12 owners of properties involved in the application. Since the proposal was to reclassify the properties to a less restrictive zone, no environmental impact review had been necessary.

Penn Butler, 4671 18th Street, represented the applicants. He urged the Commission to take favorable action on their request to reclassify the properties from R-3 to R-2. He noted that properties on the north side of Market Street are presently zoned R-2; and he emphasized that the request for reclassification was supported by

a majority of the property owners involved. He displayed a map of the area which he had prepared to show which tenants or property owners were either in support of the application or who had indicated that they had no opinion on the matter; and, although the legend of the map indicated that the color red would be used to represent property owners or tenants who were in opposition to the proposal, he noted that he had not had to use the color red on the map. He then submitted a petition which had been signed by approximately 87 people in support of the application. He stated that most of the subject lots are developed with single-family dwellings, 7 of the lots are developed with flats, and only one lot is developed with a four-unit apartment building. Of the 29 existing living units, 13 are owner-occupied and 16 are occupied by renters. He stated that the intent of the reclassification was not to eliminate renters from the neighborhood but to stabilize the relationship between those who rent and those who occupy their own property and to keep the neighborhood at a reasonable density. He stated that R-2 zoning would reflect the current pattern of use; and it would not prevent replacement of any of the existing buildings if they should be damaged by a disaster. He also distributed photographs of the area, emphasizing that the sizable amount of open space behind the buildings contributes to the amenities of the area. He stated that the lots are above average in size; and, as a result, it would be possible for most of them to be developed with four-unit buildings under the existing R-3 zoning. Such development would result in a significant change of density in the neighborhood. Instead of the present 29 dwelling units, more than 100 dwelling units would exist if the properties were developed to R-3 standards; and he felt that such a situation would be ridiculous. He remarked that the Commission is authorized to approve changes of zone on the basis of the public health, safety and general welfare; and he believed that the requested reclassification would meet that objective insofar as it would result in the protection of an existing residential area and would assure a supply of middle- and low-income housing for people who wish to own their own homes. In conclusion, he remarked that the R-2 zoning which was being requested would allow for reasonable growth in the area.

Jude Laspa, representing the Eureka Valley Promotion Association, stated that the Board of Directors of his organization had met on April 18 and voted unanimously to endorse the subject application. He advised the Commission that his organization is in the process of developing a neighborhood plan in which one of the overriding goals will be to protect the character and quality of residential areas; and he believed that the proposed reclassification would be compatible with their plan. He also felt that the proposed reclassification would be consistent with the Urban Design Plan. He emphasized that the number of lots involved in the application was few; and he felt that approval of the requested reclassification would be a crucial factor in preserving the character of the area.

A resident of 4787 18th Street indicated that she was in favor of the subject application.

Chester Williams, 4828 19th Street, stated that he is a realtor and indicated that he felt that continuation of the present R-3 zoning of the properties would encourage development of four-unit buildings by speculators who do not live in the area; and he did not believe that such development would be desirable for the

neighborhood. He emphasized that some renters can still be accommodated in the neighborhood under the proposed R-2 zoning; however, the R-2 zoning would more than likely result in construction of buildings which would be owner-maintained.

President Newman asked for a show of hands from members of the audience who were present in support of the application. Everyone responded.

Mr. Steele recommended that the application be approved. He noted that the area is overwhelmingly developed with single-family dwellings which would be permitted uses under the proposed R-2 District. He stated that the existing R-3 zoning would allow a much greater density and a much higher degree of activity; and he believed that such development would threaten the existing character of the neighborhood, including neighboring properties which are presently zoned R-2. In conclusion, he noted that a substantial number of residents in the neighborhood had stated their support for the proposed reclassification as a means of preserving the present scale and character of the area.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7018 be adopted and that the subject application be approved.

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Special Meeting held Thursday, May 10, 1973.

The City Planning Commission met pursuant to notice on Thursday, May 10, 1973, at 7:30 P.M. in Room 282, City Hall.

PRESENT: John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; and John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; James White, City Planning Coordinator; Charna Staten, Planner III - Transportation; Emily Hill, Planner II; Tom Whitney, Planner II; Linda Ferbert, Planner I; and Lynn E. Pio, Secretary.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that a letter had been sent to the Board of Supervisors requesting permission to use the Board's Chambers on June 14 and 28 for Environmental Impact hearings on Yerba Buena Center, in case the audience exceeds the capacity of Room 282. A letter had been received in reply from Robert Dolan, Clerk of the Board of Supervisors, advising that the request had been denied because there was no response to President Pelosi's offer to entertain a motion to grant the requested approval.

CONSIDERATION OF REVISED IMPROVEMENT PLAN FOR RECREATION AND OPEN SPACE. (UNDER ADVISEMENT FROM MEETING OF JANUARY 11, 1973).

Commissioner Fleishhacker welcomed members of the audience and Recreation Park Department Representative Emmett O'Donnell and called on Allan B. Jacobs, Director of Planning, for an introductory statement.

The Director's introductory statement read as follows:

"As President Newman has said, tonight's hearing is the fourth and final hearing on the 'Improvement Plan for Recreation and Open Space.' The Plan was presented to the City Planning Commission and the citizens of San Francisco as a proposal for citizen review on October 12, 1972. Since that time, three public hearings have been held on the Plan, and a series of proposed revisions based on comments received from the public have been prepared by the staff.

"As I indicated to you at your meeting of April 19, the revision procedure differs slightly from that used with previous master plan elements. Instead of distributing a lengthy 'response document', the staff has recorded comments received and the staff response to them in a working paper which is being used at the Department for meetings

MAY 10, 1973

with individuals and citizen groups. A summary of that document with the proposed changes was submitted to the Commission on April 19, 1973, and letters were subsequently sent to the entire mailing list indicating that the summary was available. Since that time, the staff has met with interested individuals and groups on the proposed changes. The final results of those meetings are before you today in the document entitled 'Summary of Recommended Revisions to the Proposed Recreation and Open Space Element of the Comprehensive Plan of San Francisco.'

"As I mentioned, the proposed revisions have been reviewed with interested parties. If these revisions are approved, copies will be prepared and mailed to the entire mailing list, to serve as a supplement to the plan documents, until such time as the plan element is reprinted.

"The purpose of tonight's hearing is to review the proposed changes and hear any additional comments on them as the final step before adoption of the plan. It was originally our intention that action on the plan be considered at this meeting. Since the meeting was scheduled, however, the negative declaration required by the State Environmental Quality Act has been filed, and that declaration will not become effective until the waiting period expires on May 21. Adoption of the plan is proposed, therefore, for the Commission's meeting on May 24.

"It is hoped, however, that discussion of the plan and its proposed revisions by the public and the Commission can be concluded at tonight's meeting, and that revisions can be finalized in this public hearing. At the conclusion of this hearing, a draft resolution to adopt the new Recreation and Open Space element will be placed before the Commission so that all actions regarding the plan, other than the voting upon this resolution, can be made at tonight's hearing, thereby concluding the review process.

"With that in mind, I would like to review each of the proposed changes with the Commission and the public."

Subsequently, the Director summarized the revisions to the proposed recreation and open space element of the comprehensive plan which were being recommended by the staff of the Department of City Planning.

Toby Levine, representing the Planning Committee of the Mission Coalition Organization read and submitted the following statement:

"I. MCO and City Planning Commission hearings.

"Before presenting its views on the Objectives and Policies of the 'Improvement Plan for Recreation and Open Space,' MCO would like to strongly protest a procedure of the City Planning Commission

and Department. In your present method, you have public hearings on the Improvement Plan, then the Department revises the Plan and informs the neighborhoods of the changes. That is good. But then you have this public hearing to both hear community comments on the Improvement Plan and to adopt it on the same day.

"We believe that this hearing allows only token community comment. After listening, you can go ahead and adopt the plan without incorporating further suggestions. We recommend to you that before the public adoption hearing, you have a public hearing only for community comment on the second draft of the Improvement Plan and for response from you and the Director of City Planning. The Plan would not come up for adoption until at least three weeks after the truly public hearing with community comments on the second draft.

"II. Objectives and Policies.

"The MCO Planning and Recreation committees generally approve the Objectives and Policies of the 'Improvement Plan for Recreation and Open Space' which is up for adoption today by the City Planning Commission. Although MCO has some objections to both the Policies and Programs sections of the Improvement Plan, it commends the staff and Director of City Planning for the mostly fine work which they have done on the Plan. MCO is glad to see the changes which have been made since last December's public hearing, to the Objectives and Policies.

"A. Waterfront Parks.

"According to the changes in the Improvement Plan, there will be convenient public transportation from the Mission District, South of Market, South Bayshore and other high-need neighborhoods to the planned waterfront parks. The Mission will be closest to and most interested in the expansion of the parks at Central Basin, Warm Water Cove and Islais Creek Channel.

"There will be guidelines for limited recreation-oriented commerce in the new recreation areas. However, to be sure that an affluent marina does not close off the frontage of each waterfront park, we would like to see guideline 2 for Waterfront Parks changed from:

" 'Development should be designed to preserve and create open views to the water.'

to

" 'Development should be designed to preserve and create open views of and public access to the water's edge. . .'

MAY 10, 1973

"B. City-wide Parks.

"The change to Policy 2 for City-wide parks, recommends that the City find new methods for acquiring open space, especially those sites identified in the Programs section map, on hilltops, the shoreline and in high-need neighborhoods. This is a fine idea and we feel that the City must be successful in finding and implementing new methods of acquisition of open space. However we would like to see added to the end of Policy 2:

'In high-needs neighborhoods, the acquired open space, except for public hilltops, should be converted soon after acquisition into public park space with recreational facilities for the neighborhood residents. The method of acquisition must include the power of eminent domain so that parks can be founded in congested neighborhoods where little open space is available.'

"C. Neighborhoods.

"We agree with the proposed change in this section which would recommend setting up Community Recreation Councils in each neighborhood for representatives of public, semi-private and private agencies to meet regularly to discuss and insure maximum recreational services, avoidance of duplication of services and optimum use of staff. MCO will be interested to see how soon these Community Recreation Councils are set up, how strong their advisory capacity will be and the amount of neighborhood agency voice in the council's decisions.

"Because the last sentence of Policy 1 - 'Coordination' section, is so important, we would like to see it changed from:

" 'In certain cases, public financial assistance might be offered to recreation agencies providing a service the City could not otherwise provide.'

to:

" 'In certain cases, recommended by the proposed Community Recreation Councils, public financial assistance would be offered to semi-private and private recreation agencies providing a service the City could not otherwise provide.'

"We are glad to see that, Policy 1 - 'Information' section, recommends that information on neighborhood recreation programs, including those of public, private and semi-private agencies, will be widely distributed to neighborhood residents. And where there is a language barrier, the information will be translated into the language of the community."

Mr. Gonzales, representing the Recreation Committee of the Mission Coalition, read the following remarks:

"Today, MCO has approved, with some minor changes, the Policies section of the 'Improvement Plan for Recreation and Open Space.' We have read the changes which the City Planning Department proposes for the Programs section of the Plan, to be adopted on June 28, 1973. Several good proposals, most suggested by MCO last December, have been added to the part of the Programs on the Mission District. However we would like to give notice here that several key points are still missing in the Programs proposed for the Mission. Before the hearing of June 28th, we will discuss these matters further with the staff, and if necessary to obtain certain changes, with the Director of City Planning.

"For example, MCO sees no reason why the proposed location of the soccer field at Franklin Square cannot be shown on the Programs map for the Mission. Contrary to what City Planning claims, there is room for the map to indicate the soccer field site. The area of Franklin Square, in the industrial zone, is not overflowing with recreational facilities.

"MOC is especially angry at the situation of Franklin Square. After three years of negotiations, last year the Rec-Park Department promised that it would allocate funds in the Fall of 1972 for construction of a minimal soccer field at Franklin Square. The funds have not come through and MCO believes that they were allocated to projects in other parts of the City. Now the Rec-Park Department says that it may get the funds together by next Fall. The MCO Recreation Committee knows of at least 10 soccer teams which have no place to play. MCO will not stand much longer for delay of construction of the soccer field.

"MCO will want more emphasis in the section, 'New Large Indoor Gymnasium,' that any recreational facilities obtained at the National Guard Armory would be only supplemental to a separate, large gymnasium operated by the Recreation and Parks Department, with neighborhood staff. The gymnasium would be in the Mission District, between Mission and Potrero and 20th and Army streets. Also it must be emphasized that the new gymnasium would be in a converted, existing building only if its capacity, equipment, building condition and appearance, could match that of a new standard gymnasium building.

"And we would like to know how and approximately when will the City and State cooperate to secure the Armory for increased community recreational needs.

"If improvements for the Silver Terrace baseball field cannot be discussed in the Programs section, because it is not in the Inner Mission, we would like to at least see it noted in the revised Improvement Plan that hundreds of Mission school-age children must be bussed there because at present there is only one softball field in the Mission.

"The two block park proposed near 20th and Treat, recommended in the Programs and requested by MCO, would accommodate a softball field. Before June 28th, the MCO Recreation and Planning committees will discuss with City Planning, the possibility of expanding the softball field at Jackson Park, in nearby Potrero Hill, to accommodate hardball.

"The Recreation Committee of the Mission Coalition will continue to insist on fulfillment of its priorities which are, in the following order: a soccer field at Franklin Square; a new, large, indoor gymnasium; two new large parks; public, recreational use of the Mission Armory; and three new mini-parks in the Mission District.

"MCO hopes that its remaining differences with the Improvement Plan can be resolved before June 28.

"The MCO Planning and Recreation Committee would like now to see the City Planning Commission adopt, with the changes we have suggested, the 'Improvement Plan for Recreation and Open Space.' "

Rae O'Leary, representing the Tides End Community Association (TEKA) read the following prepared statement:

"The Tides End Community Association considers there is a need to restate and stress the following. With open space at such a premium and Public Transportation, N Judah, L Taraval, 16, 71, 18, 5, and 38, so close sometimes almost meeting the ocean at Ocean Beach, there is enough parking at the West end of Golden Gate Park and parking from Sloat Boulevard to Fort Funston. Black top parking areas on the West side of the Upper Great Highway for the almighty car are not needed. The Recreation and Park Department has already found they are inappropriate. With safety one of TEKA's and the City's, main concerns, Playgrounds on the East side of the Upper Great Highway, between the Park road and the City street Great Highway are incomprehensible. Not forgetting the sand control which is a very real factor in both places - in fact an every day battle which is going on right now.

"We request that said plan for Ocean Beach be dropped until further study and the Army Corps of Engineers Sand Control Study has been evaluated. We also request that the interim measures, promised the citizens of the Ocean Beach area be enacted."

Mary Burns, 515 Van Ness Avenue, read the following statement which had been prepared by Assemblyman Willie L. Brown, Jr.:

"I would like to briefly reiterate my support for the proposed 'Improvement Plan for Recreation and Open Space.' "

"There are two comments I would like to reemphasize. One relates to community participation in determining open space placement. I know of at least one neighborhood that would like specific parcels of land designated for open space. I think it is necessary for the Commission and Department to assure that in priority areas, on-going neighborhood groups will be consulted to determine acceptable property. This would get around the automatic inflation in price if specified parcels of land are named and help allay the fears of residents of neighborhoods too often ignored in the past.

"Second, I would recommend that the Commission use the strongest language possible in relation to open space owned by the University of California on Mount Sutro. As this Commission is well aware, the University is in the process of developing a long-range plan for their campus. While some of the alternatives would leave large sections of the mountain open, others call for much of it to be developed. Despite the fact that the Commission and the City have no current control over the development of University property, it is my opinion that the City Planning Commission as the recognized authority in such matters, should express in a very clear way their views on the future development of Mt. Sutro."

Peter Mendelsohn, representing the Central City Coalition, made the following remarks:

"The Central City Coalition is in favor of the changes made by the Staff. In fact, the Coalition has suggested many of the changes. We are pleased to see that they have been incorporated.

"We urge that the program section be adopted by the Commission as well. Since the history of the South of Market with regard to parks is so devastating, we think our neighborhood should be the highest priority.

"We feel that the state should be asked to furnish money for two parks South of Market."

James Malott, representing the San Francisco Planning and Urban Renewal Association (SPUR), read the following prepared statement:

"SPUR has on several occasions reviewed the PLAN FOR RECREATION AND OPEN SPACE and distributed its comments to its members and the Planning Department. The Department has responded to a number of these suggestions by including them in its current plan. In the process of our reviews we have referred to numerous overlapping plans which have a distinct bearing on this document; plans for the Presidio, the Northern Waterfront, the Urban Design Plan and others. As with prior portions of the Comprehensive Plan of San Francisco, SPUR approves of all efforts to coordinate continued

improvements to the City. We approve of the Plan for Recreation and Open Space, because it is timely, necessary, and has several portions which have specifically covered, explained and directed policy effectively. Specifically, these are the Regional Policy Section I, and with some minor revisions and additions, the Shoreline Policies, Section II. We also concur with the stated objectives and Policies of the City-wide System, Section III and the section on Neighborhoods, Section IV, as far as they go. Basically, SPUR applauds the efforts and the result of the Planning Staff in preparing the Improvement Plan For Recreation and Open Space, but-- and here is the inevitable critique, we do have some strong specific criticisms.

"In general we would fault the plan on five major points.

- "1. As with other portions of the Comprehensive Plan, the Recreation and Open Space Plan is adopted by the Planning Commission, but it is not to be reviewed, participated in, nor discussed and passed by the Board of Supervisors. This means it is not law, only an advisory policy which may, or may not be observed in future years. Without the teeth of the law, such as is enjoyed by the zoning code and height limit districts, the entire Comprehensive plan may have a built-in flaw that will relegate it to the status of a shelf document in a short time.
- "2. The plan as presented is general, vague, and not specific enough in many areas. Particularly when the concept of money for open space programs, or the time required to implement them are touched upon, no specific plan, nor program is mentioned. No thought of a City-wide, phased program to plant trees, implement the protected residential area program, or other potential upgrading of the City neighborhoods in a systematic manner is proposed.
- "3. There seems to be little public knowledge of, or participation in the Recreation and Open Space Plan. This, too, could be a crucial flaw in the Plan when it needs support in the future.
- "4. Coordination with the URBAN DESIGN PLAN is lacking. The Urban Design Plan seems to be the key document of the Comprehensive Plan. There are many portions of the Urban Design Plan that overlap into this plan. Some of these bear repeating, since they pertain directly to Recreation and Open Space - even more than to Urban Design.

- "5. Neighborhood: The Recreation and Open Space Plan is preoccupied with the Region, the Shoreline, and the City-wide system. It gives the neighborhood section only three pages of attention, yet 95 percent of the people live in defined residential neighborhoods of the City. Whereas SPUR criticized the Urban Design Plan for its lack of specific building guidelines in the most highly URBANIZED section of the City, the Downtown, SPUR now criticizes the Plan for Recreation and Open Space for its lack of specific Recreation and Open Space guidelines in the very areas most needful of Recreation and Open Space, the residential neighborhoods. We would like to emphasize that in their own way, the neighborhoods need more attention than does the entire rest of the Open Space Program, Region, Shoreline, and City-wide Park System, each of which has substantial funding and is operational today.

"Specific items for constructive criticism are:

- "1. Neighborhood open areas: 15 percent of the City is listed as open space, but 20 percent of the City is street right-of-ways. The City streets are the largest single potential area for open space and recreational use, but are referred to as potential open space almost as an afterthought on the next to last page of the plan in one paragraph. A strong, specific program should be part of this plan to take the protected residential area concept of street use, and begin to use it, for Urban Design, for neighborhood beautification and for Recreation and Open Space. Show Urban Design Plan 125. Seventy percent of the City could have open space, green space and usable recreation space at its front door - the street. The residents own these streets. They should be able to use them effectively. Of course, it would take time, money and effort, but it is there, just waiting to be implemented. For the Recreation and Open Space Plan almost to ignore it is a strange oversight.
- "2. Presidio. Emphasize no new construction without one-for-one demolition. Question Presidio's ongoing building program. For example, they propose to build a new ammo dump there! In a recreation area? The present plan allows to rest unchallenged the use of the Army vehicle repair shop. Surely this is inconsistent with the use of the Waterfront for recreation. Surely there can be another plan for these functions.

- "3. Planting, the most important portion of any open space and recreation area, the part that signals an area is for recreation to our eyes, is mentioned only briefly as landscaping. No specific policies with regard to the type, criteria for use, or projected demonstrations are proposed.
- "4. It is appropriate Golden Gate Park should have a Master Plan. We trust that such a plan will allow for the use of its borders as neighborhood park and recreation areas. The Park does have regionally important facilities, but it also has the potential to service the green space needs of all of the neighborhoods bordering on it.
- "5. Printing of the Plan for Recreation and Open Space. We applaud the format, graphics and layout of the plan as a document. But it costs too much money for each copy. We feel that the people of San Francisco would be better served, by their tax dollars, if five copies of the document were printed cheaply and disseminated, rather than one copy printed expensively and hoarded.
- "6. Recreation needs definition. Recreation for a three-year-old tricycle rider or a seventy-year-old grande dame is different from that required by active teenagers. The types of recreational facilities are not categorized, nor are the needs for real recreational facilities defined by neighborhood. In the street space, recreation uses above could conceivably be used by all three.

"Closing, SPUR approves of this plan as far as it goes. We feel that it should go much farther, be much more specific. It should give the depth of information to its area, that the Urban Design Plan gives to its area of information."

Harold Sellman, 1550 - 9th Avenue, emphasized that what is needed at Ocean Beach is dune stabilization and not more black top parking lots.

Mrs. Mary H. Hutchinson, representing People for Open Space, stated that her organization approved of the concept of the Recreation and Open Space Plan.

John LaBoyteaux, representing People for a Golden Gate National Recreation Area, read and submitted the following statement:

"Mr. Chairman and members of the commission, People for a Golden Gate National Recreation Area wish to apologize for not being able to present written copies of our testimony on Thursday May the 10th regarding the Improvement Plan for Recreation and Open Space.

"We first wish to indicate our general support for the plan. Our particular comments notwithstanding we believe the Planning Department has done an excellent job.

"After the first three hearings, the planning staff contacted the groups which had testified and discussed with them details of their suggestions. We thought this was a very effective technique and hope it can be further utilized in the future.

"FFCGNRA commented on several points at the first hearing. Most of these have been cleared up through revisions.

"1. In Section II, The San Francisco Shoreline, we had some semantic problems with the wording of the objective. There seemed to us to be some doubt that the Marina Green, Aquatic Park and Fort Mason were included in the continuous open space shoreline. On page 1 of the amendments to the objectives and policies section this objective has been reworded and we believe it is now clear.

"2. As regarded the Presidio, we had hoped for stronger wording to prevent additional construction and preserve existing open spaces. On page 2 of the amendments to the programs section as well as in Mr. Jacobs' memo to your commission, certain steps are outlined which will better inform the public about the Presidio. These steps include printing a map of not only the existing facilities but also the Army's plans and the complete text of the 'memorandum of understanding' between the city and the Army. We support this provision but suggest also that the complete text of those sections of the GGNRA legislation pertaining to the Presidio also be printed.

"We understand there could be possible funding problems for the reprinting of this section and hope funds will be available for this purpose. This is information which is of great concern to the citizens of San Francisco and very difficult to obtain otherwise.

"Lastly the maps have been changed to show the sections included in the GGNRA as permanent open space.

"3. Our objection to the plan's section about Fort Mason was the reference to public education. (Northern Shoreline Plan, page 14 of the proposal). This reference has been eliminated and rewritten on page 2 of the amendments to the objectives and policies section.

"4. In our first testimony we called for alteration of the Improvement Plan for Transportation in accordance with Section 111, Policy 3 of the objectives and policies of this plan, to remove the proposed road through Fort Mason. While we cannot accept the concept of this road we understand this change is not within the purview of this plan.

"5. At Fort Funston the Federal Portion has also been designated as permanent open space.

"In our first testimony we did not mention in detail the Great Highway, nor did we discuss it with the staff. However, we have some concerns now. Changes have been made, on page 1 of the amendments to the programs section, to insure protection of the dunes and coordinate with the GGNRA. However, the points raised by TEKA may be valid. One of the primary advantages we see to curving the Great Highway is that much of the dune area can be reclaimed. We would question the amount of this area that might be devoted to new parking. While we do not propose to eliminate parking along the Great Highway, we doubt the need for more capacity.

"PFGGNRA thanks the Planning Department for their efforts with us, and for the amendments made at our request. We again wish to register our support for the emphasis given in this plan to high need neighborhoods and hope to see these programs carried out."

Walter Knox, representing Central City Citizens, presented the Commission with two models which he had made of potential parks in the South of Market Area which he had discussed during previous hearings on the Improvement Plan for Recreation and Open Space. One of the parks which he was proposing would be located on State-owned land under the James Lick Freeway between 6th and 7th Streets. Before being acquired for construction of the freeway, the land was developed with a park; and he felt that a pleasant area could be created under the freeway for people who presently spend their time on 6th Street. The second park which he was proposing would be located on open space adjacent to the Clementina Towers. He remarked that additional housing is being constructed in that area by the Salvation Army and by St. Patricks Church; and he felt that a park should be available in the vicinity for residents of the new buildings. He stated that the area is going to have a health center; and, in addition to the park which he was proposing, the area is in need of a community center and a library.

Paul Sherrill, 150 Texas Street, represented the Potrero Hill Residents and Home Owners Council. He stated that his organization was very much in favor of the recommendations which had been made by the staff of the Department of City Planning for the central waterfront at China Basin, Mission Rock, Central Basin, Warm Water Cove, and Islais Creek. He remarked that his organization had undertaken open space studies of its own; and he indicated that the recommendations of the staff were in accord with their own findings.

Vernon Thornton, representing WAPAC, complimented the staff of the Department of City Planning for the job which they had done in preparing the report and indicated that his organization wished to give its support to the proposed plan. He stated that he was particularly impressed with the staff's recommendation for priority areas. He remarked that high density areas of the City such as the Mission District, Chinatown, and the Western Addition lack adequate recreation space; and he supported the programs recommended by the staff which would give priority to those areas.

Barbara Marino, representing Nob Hill Neighbors, stated that her group has 120 members, only 5 percent of whom live in high rise buildings and have a great deal of money. She stated that her neighborhood is served by only one park, Huntington Square, at the present time; and she wished to emphasize that the staff report had designated their neighborhood as a high priority area in terms of Recreation and Open Space needs. In reply to a question raised by Commissioner Fleishhacker, she stated that her organization represented the area bounded by California and Polk Streets, Pacific Avenue, and Mason Street.

The Secretary read a letter which had been received from Robert Katz of the Telegraph Hill Dwellers, as follows:

"Our organization would like to go on record as supporting the adoption of the IMPROVEMENT PLAN FOR RECREATION & OPEN SPACE.

"Like many other organizations, we feel that there are certain areas where we would have hoped for stronger policies, as for example along the Northern Waterfront.

"However, planning is a continuous effort, and we are confident that there will be many opportunities in the future to further strengthen the present plan.

"In the meantime, we welcome the concepts of the new Plan and the great amount of thoughtful work, talent and consultation that has gone into its preparation.

"We gladly add our voice to all those who urge you to adopt the Plan."

Subsequently, the Secretary read a letter from Richard N. Goldman, chairman of the Citizens Waterfront Committee, as follows:

"The Citizens' Waterfront Committee welcomes the idea of the City establishing an Improvement Plan for Recreation and Open Space. We are particularly hopeful that such a plan will find the means to guarantee that those areas designated as open space will, in fact, remain open space; and that those areas designated as potential open space will, in fact, become open space.

"Although it has great recreation potential, very little of the San Francisco Bayfront is now available for public recreation. Nowhere is the need greater than in San Francisco, with its large low income population packed into residential areas having among the highest densities in the nation. Low and moderate income residential districts - North Beach, Chinatown, Downtown, Outer Mission, Potrero Hill and South Bayshore (including Hunters Point) - are virtually barred from access to the Bay and would greatly benefit from any opening up of waterfront land from Fisherman's Wharf to Candlestick Point for public recreation and access.

"The Improvement Plan for Recreation and Open Space is a good first step toward official recognition of the waterfront's open space and recreation potential. The Citizens' Waterfront Committee will be watching closely for implementation of the waterfront proposals outlined in this Plan. We hope to see open space development and maintenance items appearing regularly in the City's budget. In closing, may I add that the Citizens' Waterfront Committee is willing to work with you at all times to insure that additional areas along the waterfront are considered for public access and recreation."

At 8:55 P.M. Commissioner Fleishhacker announced a five-minute recess. The Commission reconvened at 9:00 P.M. Commissioner Fleishhacker called on the Director to respond to comments which had been made during the public hearing.

The Director expressed his appreciation to members of the audience for attending the meeting. He remarked that the first draft of the Improvement Plan for Recreation and Open Space had been presented to the public in October, 1972; and he felt that the length of the hearing process was an indication of the considerable amount of public participation in the planning process. He was appreciative of the favorable comments which had been received; and he indicated that he was prepared to respond to some of the negative comments which had been made. The representatives of the Mission Coalition Organization had requested that one of the general objectives relating to the eastern shoreline should be modified to specify that public access should be provided to the waters edge in addition to creating open views to the water; and, as noted by Commissioner Fleishhacker at the time, the final portion of the staff's policy was that development should be designed to provide usable open space accessible to the general public free of charge. The Director felt that the wording which had been recommended by the staff should be satisfactory to the Mission Coalition Organization. The Mission Coalition Organization had also proposed that a policy statement should be added specifying that newly acquired open space in high need neighborhoods, except for public hilltops, should be converted soon after acquisition to public park space with recreational facilities for the neighborhood residents and that the method of acquisition should include the power of eminent domain so that parks can be provided in congested neighborhoods where little open space is available. He stated that the City already has the power of eminent domain; and he pointed out that sometimes funds are earmarked to be used only for acquisition and not for development. Under such circumstances, he felt that it would be wise for the City to use such funds to acquire land while it is available and to face the issue of development at a later point in time. The Mission Coalition Organization had suggested that community recreation councils, to be established in various neighborhoods throughout the City, should be given the right to recommend cases which public financial assistance should be offered to semi-private and private recreation agencies which would be able to provide a service which the City could not otherwise provide. Those councils would not be official public agencies; and, therefore, he did not feel that they should be mentioned in the plan. However, that matter could be dealt with in the programs section of the report.

The Director noted that Miss O'Leary and other members of the audience had addressed themselves to the Great Highway area, objecting to parking spaces, an inland playground, and other features of the plan. He read the policy contained in the plan pertaining to the Great Highway area, as follows: "Develop entire Great Highway right-of-way into a smooth curvilinear recreational drive through a park area. Emphasize slow pleasure traffic and safe pedestrian access to beach. Provide new parking areas on beach side where plan allows, design parking to afford maximum protection to dune ecosystem. Create new playgrounds on inland side for adjacent neighborhoods, and provide for bicycle, pedestrian and equestrian activities." He emphasized that one of the major concerns of the staff was for reasonable access to Ocean Beach, not just for San Franciscans but for others, recognizing that Ocean Beach is a part of the Golden Gate National Recreation Area; and, in view of those circumstances, he felt that it was important to provide some parking in the area. He stated that he had attended a meeting of the Coastline Commission on the previous night; and he remarked that a number of people at that meeting had been strongly opposed to removal of any of the public parking in the vicinity of Playland. He emphasized that the Improvement Plan for Recreation and Open Space did not specify how much parking should be provided along Ocean Beach, only that a reasonable amount of parking should be provided in that area. In the programs section of the report, however, proposals were made for removal of some of the existing parking in addition to provision to some new parking; and, in both cases, decisions would have to be made in relation to dune control and stabilization. With regard to the inland playground he emphasized that the staffs' proposal would be to reduce the asphalt nature of the Great Highway, aiming at a protected residential area environment; and, under such circumstances, it would make sense to make some of the land available for use by neighborhood residents as a playground. He stated that the staff of the Department of City Planning would be opposed to development of a playground between two high-speed roadways. The Director stated that Assemblyman Willie L. Brown, Jr., had previously made recommendations regarding the Improvement Plan for Recreation and Open Space; and some of the changes which had been recommended by the staff had resulted. On this occasion, Assemblyman Brown had recommended that the Commission use the strongest language possible in relation to open space owned by the University of California on Mt. Sutro. The Director noted that the Commission, in adopting the City Wide Height and Bulk Ordinance, had zoned property on Mt. Sutro for open space even though the City has no control over State-owned land. In addition, the Commission had obtained a public statement from representatives of the Medical Center indicating that they would be willing to conform to the zoning. Those actions were reflected in the Improvement Plan for Recreation and Open Space.

The Director noted that Mr. Mendelsohn had taken the position that the South of Market Area should be given high priority in terms of new recreation and open space facilities; and he indicated that the staff of the Department of City Planning agreed. Most of the comments which had been made by the representative of SPUR had been made previously on behalf of that organization. They felt that the Improvement Plan for Recreation and Open Space should be adopted by the Board of Supervisors; and, in that case, he suggested that they should start a movement towards that end. SPUR had also taken the position that the Improvement Plan for Recreation and Open Space had not been coordinated with the Urban Design Plan. In reply, the Director

stated that both documents had been reviewed in detail by the staff of the Department of City Planning and had been found to be totally complimentary. The Improvement Plan for Recreation and Open Space does not repeat policies and principles stated in the Urban Design Plan; and he did not feel that repetition would be economical. SPUR had also expressed concern about the fact that the Plan gave only three pages of attention to residential neighborhoods; however, they had missed the fact that 15 of the 30 pages in the programs section of the report deal with neighborhood issues. SPUR had supported the staff's proposal for development of a Master Plan for Golden Gate Park; however, that support was followed by a statement that the Master Plan should allow for use of the borders of the Park as neighborhood park and recreation areas. He stated that it has always struck him that the Park does, in effect, turn its back on its neighbors; however, in thinking about the matter, he had decided that the situation had resulted from a very conscious decision aimed at creating a preserve. He also felt that it was possible that the inward-oriented nature of the park had been responsible for the fact that higher density uses had not developed around the park's perimeters, as in the case of Central Park in New York City. In any event, the issue which had been raised should be resolved; and he felt that the issue would be dealt with when the Master Plan is prepared for the park. Finally, SPUR had expressed concern about the amount of money which had been spent for printing of the Improvement Plan for Recreation and Open Space. The staff of the Department of City Planning, also, recognized that the process used had been costly and that the number of copies of the report had thus been limited; and, as a result, the staff had made a decision to use newsprint for some of its future reports. Mr. Knox had again requested that parks be developed in the South of Market Area; and the Director noted that the staff of the Department of City Planning had sent letters to the Redevelopment Agency and the State of California inquiring about the feasibility of Mr. Knox's proposals. Miss Marino had stated that Nob Hill had been designated as high priority area in the Improvement Plan for Recreation and Open Space; however, he emphasized that the Staff of the Department of City Planning was primarily concerned about provision of additional open space and recreational facilities for Chinatown. In conclusion, he recommended that the Commission take the matter under advisement until its meeting of May 24 and that it act on that date to adopt the plan and to rescind the old Recreation and Park Element of the Master Plan to the extent that it still exists.

Commissioner Fleishhacker remarked that the revised Improvement Plan for Recreation and Open Space specified that all of Fort Mason should be used for open space; and he indicated that he had always felt that a small strip of land at the south end of Fort Mason should eventually be used to widen the roadway of Bay Street.

The Director remarked that Fort Mason is owned by the Federal Government and is not under the jurisdiction of the City; however, proposals for trafficways developments in that area are reflected in the Transportation Element of the Master Plan, which has already been adopted by the Commission.

Commissioner Fleishhacker noted that the staff had recommended that the fourth paragraph under the heading "Traffic" in policy 3 be amended to read as follows: "close off park roads on a part time basis in order to return parks to park users

and expand into full time closings where possible. Increase weekend street closing for use by pedestrians and bicyclists." He believed that the staff meant that the streets should be closed to automobile traffic so that they would be available for pedestrian use; and, if so, he believed that better language could be found to express the policy. The Director agreed and indicated that a change would be made.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that this matter be taken under advisement until the Commission's meeting on May 24, 1973.

The meeting was adjourned at 9:25 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

ABG

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, May 17, 1973.

The City Planning Commission met pursuant to notice on Thursday, May 17, 1973, at 2:15 p.m. at 180 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Samuel Jung, Planner IV; Peter Groat, Planner IV - Urban Systems Analyst; Daniel Sullivan, Planner IV (Zoning); Alec Bash, Planner III; Ronald Jonash, Planner III; Marie Zeller, Planner III - Administrative; Katherine Benzinger, Planner II; Carl Nes, Planner II; Moira So, Planner II; Russell Watson, Planner II; Linda Ferbert, Planner I; and Lynn E. Pio, Secretary.

Ralph Craib and Jonathan Bess represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meetings of April 5, 19, 25, and 26, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, displayed awards which had been received from the American Institute of Architects for the Urban Design Plan and from the Northern California Chapter of the American Institute of Planners for the Chinatown Housing and Recreation Program.

The Director noted that the newspapers have reported that Assemblyman Willie L. Brown, Jr. has initiated a funding program and legislation to establish a State park at Candlestick Point. If approved, the park would constitute implementation of one of the proposals contained in the Commission's South Bayshore Plan.

The Director informed the Commission that the staff had approved an application for a minor alteration to the Transamerica Building which will add a restaurant of approximately 3,600 square feet at the ground floor level east of the elevator core.

MAY 17, 1973

The Director indicated that he had placed before each member of the Commission a memorandum on proposed Golden Gate Bridge commuter toll and bus fare increases. He asked the Commissioners to study the memorandum during the week with a view towards possible adoption of a policy statement at next Thursday's meeting.

The Director informed the Commission that he had met with Irving S. Levin, Chairman of the City Planning Committee of the 1973 Grand Jury, on Tuesday afternoon.

R72.51 - SALE OF SURPLUS PROPERTY, NORTHEAST CORNER OF 5TH STREET
(EXTENDED) AND ELLIS STREET, LOT 7, BLOCK 326.

Samuel Jung, Planner IV, reported on this matter as follows:

"The owners of the Gates Hotel at 140 Ellis Street, which abuts Lot 7, Block 326, on two sides, have expressed interest in acquiring the land to insure availability of light and air for the existing upper story windows along the west wall of the hotel and to provide an additional entrance to the lobby from 5th Street.

"The vacant triangular-shaped surplus parcel is located on the northeast corner of 5th Street (extended) and Ellis Street. It is 137.5 feet in depth by 25.7 feet at its widest point. The lot contains approximately 1760 square feet and is situated in a C-3-G commercial zone. General advertising signs on this location are prohibited if they can be seen from the Market Street Special Sign District.

"Based on information in the Environmental Evaluation Form (EE123), it does not appear that the sale of Lot 7, Block 326, would have a significant impact on the environment and a Negative Declaration has been filed by the Director of Planning."

Marcel Ladrech, representing the owners of the Gates Hotel, which is located adjacent to the subject parcel of property, stated that the basic purpose of the request for sale of the property was to provide additional light and air for the hotel.

Allan B. Jacobs, Director of Planning, recommended that sale of the property be approved as in conformity with the Master Plan provided that the lot is sold only to the adjoining owner and is merged with the adjoining lot.

Commissioner Rueda asked if the applicants have any plans to develop the subject property. Mr. Ladrech replied that he and his associates have no present plans to build on the site.

MAY 17, 1973

Commissioner Miller, noting that Mr. Jung had stated that general advertising signs would be prohibited on the property if they could be seen from the Market Street special sign district, asked if that statement had meant to imply that general signs would be prohibited on the property. Mr. Jung replied in the affirmative.

President Newman asked if the real estate department would set a price for the property. Mr. Jung replied in the affirmative.

President Newman, noting that the Director had recommended that the property be sold only if it were to be acquired by the adjoining owner and merged with the adjoining lot, asked what would happen if the owner of the adjoining lot should decide that he is not interested in buying the property after a price has been established by the Real Estate Department. The Director replied that the recommendation of the City Planning Commission would be advisory and would not be binding on the Board of Supervisors.

Commissioner Ritchie asked if the applicants would landscape the property if they are successful in acquiring it. Mr. Ladrech replied that it was conceivable that the property would be landscaped.

Commissioner Ritchie then suggested that the Commission's recommendation should contain a suggestion that the property should be landscaped.

Mr. Ladrech stated that he had no objection to installing some landscaping on the property; however, he did not feel that he should be required to turn the property into a public park.

Commissioner Ritchie then suggested that the request for landscaping should be made in only a general way.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the Director of Planning be authorized to report that the sale of Lot 7, Block 326, is in conformity with the Master Plan, provided that the lot is sold only to the adjoining owner and is merged with the adjoining lot. It was also suggested that some landscaping would be desirable on the property.

K73.19 - SALE OF SURPLUS PROPERTY, NORTH SIDE OF ALEMANY BOULEVARD
EAST OF ONONDAGA AVENUE, LOT 110, BLOCK 6954.

Samuel Jung, Planner IV, reported on this matter as follows:

"The Slavonic Mutual and Benevolent Society of San Francisco has inquired as to the possibility of acquiring the City-owned vacant triangular parcel located on the north side of Alemany Blvd. approximately 104 feet east of Onondaga Avenue. The lot contains only 28 square feet and it is the unused remnant of a parcel purchased by the City for Alemany Blvd. The area is zoned C-2.

MAY 17, 1973

"The Society owns the corner lot adjoining the subject parcel and in 1965 had obtained a variance to the rear yard requirements and constructed a single-story building along the eastern portion of the parcel. The remainder of the site, including the City-owned parcel, has been graded and used as a parking lot for the Society's members.

"Based on information in the Environmental Evaluation form (EE152), it does not appear that the proposed declaration as surplus and sale of the City-owned parcel would have a significant impact on the environment and a Negative Declaration has been filed."

Allan B. Jacobs, Director of Planning, recommended that sale of the property be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Ritchie, seconded by Commissione Rueda, and carried unanimously that the Director be authorized to report that the declaration as surplus and sale of Lot 11B, Block 6954, is in conformity with the Master Plan.

PRESENTATION OF REPORT ON 1970 POPULATION CHARACTERISTICS

Peter Groat, Planner IV - Urban Systems Analyst, presented and summarized the report and responded to questions which were raised by members of the Commission. The report is available in the files of the Department of City Planning.

At 2:55 p.m. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall and reconvened at 3:10 p.m. for hearing of the remainder of the agenda.

ZM72.16 - PACIFIC HEIGHTS RE-ZONING, GENERALLY WITHIN THE AREA BOUNDED BY UNION STREET, VAN NESS AVENUE, BUSH STREET AND STEINER STREET.
REQUEST FOR RECLASSIFICATION OF RESIDENTIAL PROPERTIES FROM R-5, R-4, AND R-3 TO R-4 AND R-2, DEPENDING UPON ESTABLISHED HEIGHT LIMITS.

William Ferdon, an attorney, rose on a point of order, contending that the subject application has not been filed in conformance with the requirements established by Section 302 of the City Planning Code. He stated that Section 302 of the City Planning Code provides that a zoning amendment may be initiated by the Board of Supervisors, by a resolution of intention by the City Planning Commission, or by application of one or more interested property owners or their authorized agents. An "interested property owner" was defined by the Code as "an owner of real property that is either within the area included in the application or within a distance of 200 feet of the exterior boundaries of such area, or at a greater distance therefrom where such property might be affected by development currently permitted by this Code in the area." He stated that the subject application had been filed by the Pacific Heights Association, a non-profit corporation which uses an address in the 2500 block of Pacific Avenue. That association is not a property

owner; yet, it was seeking to reclassify approximately 90 city blocks, most of which are not within 300 feet of the address used by the association. Under the circumstances, he felt that the application had been filed illegally. He also remarked that section 306.1(e) of the City Planning Code provides that a fee of \$50.00 shall be charged for each application for an amendment to reclassify property; and, on the basis of that requirement, he felt that a fee of \$50.00 should have been collected from the applicants for each one of the properties involved in the application. If that had been done, he estimated that the fee which would have been required to formalize the application would have been approximately \$20,000. He asked that the application be declared illegal and that the proceedings be declared out of order.

President Newman stated that Mr. Ferdon's argument would be entered in the record and that the City Attorney would be requested to render a decision on the points raised. He then requested the staff of the Department of City Planning to present the case to the Commission.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject properties which generally include the area bounded by Union Street, Van Ness Avenue, Bush Street and Steiner Street, excluding all C-1 and C-2 districts, and excluding all properties currently zoned P, R-1 and R-2. He stated that the area under consideration was comprised of 1551 parcels and approximately 189.5 acres. The properties are presently zoned R-3, R-4, and R-5. After summarizing the present use characteristics of the area as described in the case report which had been prepared by the staff of the Department of City Planning, he indicated that the applicant had proposed that the following reclassifications be approved by the Commission:

1. Reclassification to R-2 (2-family residential) of properties within 40-foot height limit districts presently zoned R-3, R-4 and R-5.
2. Reclassification to R-2 of properties zoned R-4 and R-5 in the 80-foot height limit districts on the south side of Sacramento Street between Fillmore and Buchanan Streets, and in the blocks bounded by Sacramento, Gough, Bush and Laguna Streets.
3. Reclassification to R-4 (high density residential) of all other properties within the 80-foot and 105-foot height limit districts presently zoned R-5.

Mr. Steele also indicated that the Commission, in considering the subject application, would be able to consider reclassification of the subject area, or portions thereof, to an R-4 district, to an R-3.5 district, or to an R-3 district. In conclusion, Mr. Steele stated that buildings currently developed to a greater residential density than would be permitted if the property were to be reclassified would become non-complying buildings with respect to the City Planning Code. He emphasized, however, that such non-complying buildings, if destroyed by fire or other calamity, could be rebuilt as presently existing if reconstruction were to begin within one year of the disaster.

MAY 17, 1973

President Newman felt that it was quite clear that the staff of the Department of City Planning would not recommend much of what had been requested; and, in order to avoid unnecessary delay, he felt that it would be appropriate to hear the Director's recommendation before receiving further comment. He indicated that there would be a recess following the Director's recommendation so that the applicants and the opposition could review the recommendations. Following the recess, the Commission would proceed with the hearing, receiving comments first from the applicants and then hearing from any other individuals who might wish to speak on the matter.

Mr. Ferdon urged that the Commission, in deference to members of the audience who were present, take action on his request for declaring the proceedings illegal and out of order.

Commissioner Ritchie stated that he and Commissioner Porter felt that the City Attorney should be requested to render an immediate decision on the points which had been raised by Mr. Ferdon.

The Director stated that it was Mr. Steele's opinion that the subject application had been filed legally in conformance with the provisions of the City Planning Code. However, in order to resolve the matter to the satisfaction of the Commission, he asked Mr. Steele to leave the meeting to confer with the City Attorney regarding the issue.

Following Mr. Steele's departure, the Director proceeded with his recommendation. He remarked that the area under consideration is quite complicated, with character changes often occurring from one block to another. Sometimes the changes take place in an east/west direction as one goes down the hill to the north; and, in other cases, the changes take place in a north/south direction, as in the Gough-Franklin corridors. In its review of the application, the staff of the Department of City Planning had given consideration to the existing character of the area and the desire of the Pacific Heights Association to maintain it as a residential neighborhood. At the same time, consideration had been given to the need for new housing and the ability to convert some of the existing buildings in order to maintain economic viability. The staff had also considered street and traffic patterns in the area, as well as the character of recent development. He remarked that there are only 21 vacant lots in the area, some of which have been acquired and held for open space; and, as a result, it was apparent that any new development in the area would replace existing buildings. He remarked that a large number of conversions in the area had produced a medium density neighborhood; yet, in the process, the neighborhood had retained its single- and two-family character. As a result of the staff's review, recommendations had been formulated which would follow the actual nature of the area and which could not be characterized as "spot zoning". He then proceeded with his specific recommendations, as follows:

MAY 17, 1973

- "1. Gough-Franklin, from Bush to Broadway, excluding the 40 ft. height area between California and Jackson. Proposed R-4; Existing R-5, 80-ft. and 105-ft. height limits.

Total Lots: 177

Non-Compliance at R-4: 15 8.4%

Reasons:

- "a) R-5 density in all of this area would be out of character with present and desirable future development.
- "b) Reclassification to R-4 would result in greater amenities in terms of rear yards, open space and building spacing.
- "c) The residential character of this area is in conformity with R-4 development. 42% of lots are presently built to R-4 density, and reclassification would result in only 15 lots becoming non-conforming, and 4 of these are non-conforming even at R-5 zoning.

This sec. is in agreement with the applicant's request.

- "2. Franklin-Gough, from Union to Vallejo.

Proposed R-4, Existing R-4, 40-ft. height limit.

Total lots: 92

Non-compliance: 0

Reasons for no change:

- "a) Existing character is in conformity with R-4 zoning, but would not be with R-2, as has been requested, R-3, or R-3.5 zoning.
- "b) Reclassification to R-2, R-3, or R-3.5 would result in a considerable number of buildings becoming non-complying which would be inappropriate.
- "c) R-4 zoning is not necessarily incompatible with a 40-ft. height limit, for example, the character and scale of development which has occurred on Telegraph Hill.

- "3. Broadway Corridor, from Fillmore to Gough.

Proposed R-4, Existing R-5. 40-ft. height limit. The applicants requested R-2 except at Laguna Street where a 105-ft. height limit exists.

Total Lots: 96

Non-compliance: 4 lots, 4.1%

Reasons for change:

- "a) R-5 zoning produces inappropriate residential densities in 40-ft. height limit districts, and adds unnecessarily to congestion, and results in development completely out of character with present and desirable future development.
- "b) R-4 will allow higher densities on a street whose character is amenable to higher densities.
- "c) There is a need for increased housing and higher densities, and Broadway is a street which can readily accommodate higher density development not necessarily of family character.
- "d) Zoning lower than R-4 on Broadway would result in a substantial number of non-complying dwellings - at R3.5, for example, 36% of existing dwellings would become non-complying, and R-2 as has been requested would produce 68% of existing buildings non-complying.

The proposal then is to change from R-5 to R-4.

- "4. California Street and South of Lafayette Park, from Buchanan to Gough.

Proposed R-4, Existing R-5. The applicants requested R-2.

Total lots: 139

Non-compliance: 10 7.2%

Reasons for change:

- "a) Character and scale of development is not R-5 but does reflect R-4 development.
- "b) Zoning less than R-4 would result in a substantial number of buildings becoming non-complying.
- "c) R-5 produces inappropriate residential density for this area and results in development completely out of character with present and desirable future development.

Proposal, then, is to go from R-5 to R-4.

- "5) West of Lafayette Park. Laguna from Washington to Sacramento.

Proposed R-4, Existing R-5, 40-ft. height limit. The applicants requested R-2.

Total lots: 3

Non-compliance: 2 22.2%

Reasons for change:

- "a) R-5 produces inappropriate residential densities in 40-ft. height districts and adds unnecessarily to congestion and results in development completely out of character with present and desirable future development.
- "b) R-4 zoning would be compatible with the existing character and this high density zoning is compatible with urban design guidelines for high density development adjoining parks. Height is 40-ft. for new development.

Go from R-5 to R-4.

- "6) Green-Vallejo, from Steiner to Gough.

Proposed R-3, Existing R-4 Height 40-ft. The applicants requested R-2.

Total lots: 315

Non-compliance: 78 24.6%

Reasons for change:

- "a) Residential densities above R-3 would be incompatible with existing character and scale of development.
- "b) R-3 zoning (with density of 1 unit/800 sq. ft. lot area) would permit conversions thereby retaining character and existing structures.
- "c) New construction at higher densities than R-3 would place further strain on parking conditions already difficult as a result of Union Street Visitor parking.
- "d) R-3 zoning would still permit new construction of housing units but at a scale consistent with existing scale. A lower zoning than R-3 would discourage any new construction.

- "e) A lower zoning than R-3 would produce a substantial number of non-complying dwellings, thereby denying substantial property rights to owners of complying dwellings. It might even bring about eventual deterioration.

This is an example of where R-3 in one part of city is different from development and character that occurs in another part of the city.

Recommendation is R-4 to R-3.

- "7) Gough-Franklin, from Jackson to Bush.

Proposed R-3, Existing R-5 Height 40-ft. The applicants requested R-2.

Total Lots: 47

Non-compliance: 14 29.7%

Reasons for change:

- "a) R-5 zoning inappropriate in 40-ft. height districts.
"b) Scale of development is consistent with R-3 density.
"c) R-3 would encourage retention of existing units.
"8) Pacific-Jackson, from Fillmore to between Buchanan and Laguna.

Proposed R-3, Existing R-4, R-5. Height 40-ft. The applicants requested R-2.

Total Lots: 137

Non-compliance: 49 35.6%

Reasons for change:

- "a) Residential densities above R-3 would be incompatible with existing character and scale of development.
"b) R-3 zoning (with density of 1 unit/800 sq. ft. lot area) would permit conversions thereby retaining character and existing structures.
"c) New construction at higher densities than R-3 would place further strain on parking conditions already difficult as a result of Union Street Visitor parking.

MAY 17, 1973

"d) R-3 zoning would still permit new construction of housing units but at a scale consistent with existing scale. A lower zoning than R-3 would discourage any new construction.

"d) A lower zoning than R-3 would produce a substantial number of non-complying dwellings, thereby denying substantial property rights to owners of complying dwellings.

"9) West of Fillmore Commercial and east of Fillmore on Washington.

Proposed R-3, Existing R-3 Height 40-ft. The applicants requested R-2.

Total lots: 197

Non-compliance: 41 20.7%

Reasons for change:

"a) Residential densities above R-3 would be incompatible with existing character and scale of development.

"b) R-3 zoning (with density of 1 unit/200 sq. ft. lot area) would permit conversions thereby retaining character and existing structures.

"c) New construction at higher densities than R-3 would place further strain on parking conditions already difficult as a result of Union Street Visitor parking.

"d) R-3 zoning would still permit new construction of housing units but at a scale consistent with existing scale. A lower zoning than R-3 would discourage any new construction.

"e) A lower zoning than R-3 would produce a substantial number of non-complying dwellings, thereby denying substantial property rights to owners of complying dwellings.

"10) Bush-Pine, from Fillmore Commercial to Laguna between Octavia.

Proposed R-3, Existing R-3 Height 40-ft. The applicants requested R-2.

"a) Residential densities above R-3 would be incompatible with existing character and scale of development.

"b) R-3 zoning (with density of 1 unit/800 sq. ft. lot area) would permit conversions thereby retaining character and existing structures.

MAY 17, 1973

- "c) New construction at higher densities than R-3 would place further strain on parking conditions already difficult as a result of Union Street visitor parking.
 - "d) R-3 zoning would still permit new construction of housing units but at a scale consistent with existing scale. A lower zoning than R-3 would discourage any new construction.
 - "e) A lower zoning than R-3 would produce a substantial number of non-complying dwellings, thereby denying substantial property rights to owners of complying dwellings.
- "11) New R-2 Districts.

1. North of Lafayette Park - Washington Street Existing R-3
Total lots: 7 6 at R-1
2. Laguna - Pacific Southeast corner area. Existing R-3 and R-5
Total lots: 13, 9 at R-2 or lower
3. Laguna - Jackson, Southwest corner area. Existing R-3, R-4, R-5
Total lots: 25 21 at R-2 or lower
4. Webster - Washington, South corners. Existing R-3, R-4
Total Lots: 17 16 at R-2 and lower

Reasons for above changes to R-2 zoning.

- "a) Existing density and development predominantly R-2 in character
- "b) R-2 zoning in these areas will preserve the character and retain existing structures which are, in these areas, of sound construction and in compliance with city codes.
- "c) R-3, R-3.5 and R-4 zoning would be completely out of character with existing and desired development.

These proposals are in agreement with applicant's request."

President Newman called on Robert Kenealey, Deputy City Attorney, to give his opinion on the issues which had been raised earlier by Mr. Ferdon. Mr. Kenealey stated that five individuals were named on the subject application; and he had been informed that they live within the subject area. In his opinion, the requirements of the City Planning Code for filing an application had therefore been met. With

regard to the second question which had been raised by Mr. Ferdon, he stated that the City Planning Code makes no distinction whatsoever between applications affecting single lots and those affecting five acres or more. He therefore informed the Commission that it was the opinion of the City Attorney's office that the application was legally constituted and that the Commission could proceed to take any action which it might desire.

At 3:55 p.m. President Newman announced a five-minute recess. The Commission reconvened at 4:00 p.m. and proceeded with hearing of the subject application.

John C. Walker, A.L.A., represented the Pacific Heights Association and read the following prepared statement:

"INTRODUCTION

"Last July at the hearing on height and bulk limits for Pacific Heights, Planning Director Allan Jacobs recommended to this Commission the reduction of height limits to 40 feet in much of Pacific Heights. In closing his remarks, he recommended that rezoning should logically follow and that zoning should in general conform to the height limits thus established. At Mr. Jacobs' suggestion, the Pacific Heights Association filed a rezoning application for Pacific Heights, the outcome of which is this hearing.

"PHILOSOPHY

"The Urban Design Plan describes the character of Pacific Heights as 'unique and outstanding.' In our approach to zoning, as in our approach to height and bulk limits, we acknowledge the qualities which make Pacific Heights unique and attempt to preserve the quality and character of our neighborhood.

"In order to define what the current character of Pacific Heights is, we have made a study of existing property use, based on the Planning Department's zoning use map. There is a strong relationship already between height limits and zoning, as there should be. As a result of this study, we have formulated a philosophy of zoning for Pacific Heights which we believe essentially sound and constructive. Zoning should do two things: assist in the preservation of older structures which have architectural merit, and encourage the replacement of no longer viable structures with new architecture, which is of the same or better quality than the buildings being replaced, and, architecture which will preserve the essential neighborhood character of most of Pacific Heights.

"R1 and R2 afford ample opportunity for the construction of buildings of the highest quality, as witness the impressive townhouses which architect John Field designed for Union Street. These are the hottest selling residential real estate in San Francisco today. They enhance an already handsome neighborhood and add substantially to the tax rolls. R2 also encourages the division of older homes into flats or comfortable apartments, while preserving the architectural character of highly detailed older buildings.

"Where R1 and R2 prevail, the value of both structures and land remains stable and both values increase together. This is evident in Presidio Heights. At higher densities, land values may increase, but structural values become unstable and may lead to an overall loss of property values, as has happened elsewhere in San Francisco.

"R-3 more often than not produces buildings of low quality. (There is no question in the mind of any reputable architect that R3 as now defined inevitably produces buildings of low quality.) It is virtually impossible to design an R3 building on a standard city lot which will not degrade the neighborhood in which it is located. R3, R4, or R5 zoning in a 40-foot area leads inevitably to the construction of high density, small unit buildings of low quality which quickly destroy the livability and the value of neighboring homes and lead to a rapid turnover in real estate ownership -- since most of these buildings are built or purchased by absentee owners who want them for speculation only. This depersonalizes a neighborhood, it adds unreasonable density, traffic and congestion. This in turn accelerates the already alarming flight of the middle class to the suburbs. Middle class families do not move into tiny apartments which replace their homes. Middle class families do not want to live on streets defaced and crowded by plastic rows of high density apartment units. It is a fact well known to sociologists that families who move from a home in the City, whose value has been diminished by incompatible neighboring buildings, seldom relocate elsewhere in the City. They go to the suburbs, depriving the City of stability, both in terms of land use and in terms of life style. San Francisco can not afford to lose its middle class.

PROCEDURE FOR OUR REQUEST

"We have made an intensive lot by lot, block by block study of our whole area. At the outset, we recognized the possibility that compromise from our blanket R2 request might be necessary in some minor areas.

"Naturally we hoped the logical steps we took, based on existing structures would be the same steps and summary presentation for the Department. Had we had an opportunity to work with the Planning Department, the differences between our presentations might have been worked out before this hearing. Unfortunately, we were not

MAY 17, 1973

offered that opportunity, so we must now, in a public hearing, do the type of detailed planning which would be more appropriate to a work session than to a hearing of this nature.

FIRST

"We accept the existing 80-foot and 105-foot height limits as a fact and have requested that they be zoned R-4. This agrees with the recommendation of the Planning Department.

40 - FEET

"The balance of our comments concerns the remaining 40-foot areas.

PROCEDURE

"In our block by block analysis of existing use for each lot in the 40-foot area, we scrutinized each block as to their essential character, distinguishing between R1, R2 as a group and R3, R4, R5 as another group.

"On a block by block count, we indicated for each block whether the majority of the lots fell within the R1, R2 group or the R3, R4, R5 group. Plotting this on a map, you might think would lead to a great checkerboard rendering of Pacific Heights. This is not the case. What is significant is that definite well defined areas of existing use emerged which shows a clear and strong existing R1 and R2 pattern.

STREET SUMMARY

"You have a summary before you which shows the R1, R2 existing use broken down for lots on and surrounding the East-West streets. The total existing use shows that 54% of the 40-foot area is still R1, R2 by existing use and character. 54% is a majority, but we caution you as to the serious implication of this majority. It will not take much to tip the scale.

ORIGINAL REQUEST

"Our request is for an overall R2 zoning in the 40-foot height area. We maintain that this is the best zoning for Pacific Heights if Pacific Heights is to remain unique and outstanding -- and viable as a stable neighborhood.

ALTERNATE RECOMMENDATION

"If this overall R2 zoning is not possible, and it appears Mr. Jacobs is not making such a recommendation, we make the following compromise. THAT ZONING BE ADOPTED WHICH REFLECTS THE PRESENT PREDOMINANT LAND USE, as shown on our map.

"This request asks for nothing new. It serves only one purpose, which is to establish as a part of the code the existing pattern of land use in Pacific Heights.

"By recognizing and codifying the existing use, we feel you will be helping to maintain some character and quality for our neighborhood. As we said before you will allow for rehabilitation and remodeling. You will allow for replacement of present structures no longer viable, with buildings of compatible character with the neighborhood. AND, you will insure stability in our neighborhood which is absolutely necessary. The loss of stability will lead to the end of Pacific Heights as we know it now. Again, San Francisco can not afford to lose Pacific Heights.

R-3

"In spite of existing patterns of R-3 use, we caution you in applying the blanket R-3 zoning in any area which is not now predominantly R-3 because of the inherent drawbacks. R-3 zoning does not encourage the restoration of existing buildings of quality nor does it encourage the construction of family-sized units. (Mr. Field has already supported this point in his reference to the Richmond District.)

R-4

"It goes without saying that R-4 zoning is totally incompatible and is not acceptable in the 40-foot height areas in Pacific Heights. The proposed R-4 zoning will have the inevitable result of destroying Pacific Heights by rows of apartments. Remember, the balance of 54% R1, R2 existing structures is too close to the breaking point to allow the tipping of the scales for additional high density. The example of too many American cities is before you. To introduce R-4 zoning in areas predominantly R-3 will have the same effect.

"The situation in Pacific Heights at this moment is too close to the critical edge of survival as a neighborhood to allow such high density zoning. Mr. Loewenstein will comment upon this point later.

"We might also point out, based upon the vacancy signs on our streets, that Pacific Heights has reached the saturation point for high density construction. Since the population of San Francisco does not increase, what is evidently happening is that there is a shift in the tenant population of this City while the middle class flees to the suburbs.

BROADWAY STREET

"R-4 zoning across Broadway Street is catastrophic and incredible. Broadway has a total lot count of 97 in the 40-foot area. Of that, 57 lots are now R1, R2 existing use, or 58% of the 40-foot area of Broadway is R1, R2 now.

"Broadway is dissected by the 105-foot Laguna corridor which is damaging and demoralizing to all the structures for blocks around.

"To zone Broadway R-4 will only insure the total loss of Broadway to a cavern of apartments. R-4 zoning across Broadway will serve to cut Vallejo and Green Streets off from the rest of Pacific Heights. Vallejo and Green Streets will relate to a wall. Mr. Passmore tells us Broadway would be a main transportation line. Is that what a neighborhood is to serve --- a transportation line? It is just because Broadway is already on a tight rope between neighborhood and apartment ghetto that we insist the Commission vote for neighborhood. It is also obvious that the loss of Broadway can only have extreme effects on all the surrounding blocks. The loss of Broadway, really means the loss of the northern face of Pacific Heights.

"Why does the Planning Department even consider the relinquishing of a street to high density development and traffic, right through the middle of a neighborhood when this is certainly contrary to all the best principles of the URBAN DESIGN PLAN.

"We stand firm in our opposition to R-4 zoning on Broadway.

"Further, to include the lot on the Northwest corner of Broadway and Fillmore in the R-4 designation is incredible. This lot abuts an R-1 block and the owner of the property wants R-2.

"To allow high density on that particular lot deprives not only the neighborhood, but also the thousands of citizens who daily choose this vantage point for a sweeping view of the Bay and a great sense of open space. The City and Pacific Heights needs this open space. You can not ignore the sensitivity of this particular location.

"We stand firm in our opposition to R-4 across Broadway.

SUMMARY

"The neighborhood is strongly behind our request - we have more signatures from property owners than we had for the height hearings.

"This is an important indication of the overwhelming desire of our residents and property owners that their neighborhood is not to be changed radically by future apartment house construction and speculation.

MAY 17, 1973

"This reflects the trend evident in the height limit hearing - we still choose not to be the developers playground. We have taken this question to the neighborhood and I would like to have Charlotte Maeck explain the effect of our support.

"As a Board entrusted with the care of all the people and the living environment of this City, you must take the needs or wishes of the existing resident property owners into account in deciding this issue. Present property owners have given us their overwhelming support. They know that your decision is of vital importance to them and to San Francisco as a whole. They expect your support."

Commissioner Rueda, noting that the Gough-Franklin corridor has a height limit of 105 feet, asked if the Pacific Heights Association had given any consideration to retaining R-5 Zoning in that area. Mr. Walker replied that it was the view of his association that R-5 zoning is more appropriate for downtown San Francisco than for the Pacific Heights neighborhood.

Charlotte Maeck, also representing the Pacific Heights Association, advised the Commission that a survey had been conducted of 734 property owners within the subject neighborhood. Of the individuals contacted, 667 had expressed support for R-2 zoning, 21 had expressed support for R-3 zoning, and 3 had expressed support for R-3.5 zoning. Thus, 696 individuals, or 95% of those contacted, had indicated their support for the subject application. Only 38 individuals, or 5% of those contacted, had expressed opposition to the application. She remarked that the results of the survey compared favorably with the results of a survey which had been made last year with respect to height limit changes in which 92% of the individuals contacted had expressed support for lower height limits and 8% had expressed opposition. In conclusion, she noted that brochures had been given to each member of the Commission which contained letters in support of the subject application.

James Kirkham, an attorney and a representative of the Pacific Heights Association, remarked that there is no question about the Commission's power to "down zone" property; and, although suggestions might be made to the effect that "down zoning" constitutes a confiscation of property rights, he regarded such an argument as fallacious since it is clear that the Commission has the right to establish zoning where no zoning has previously existed. He expected that other quasi-legal issues would also be raised to the effect that the proposed "down zoning" would take away potential for investment and would eliminate construction jobs; however, in view of the fact that other neighborhoods have taken steps to upgrade themselves after achieving lower zoning, he suggested that more investment might take place under the proposed zoning rather than under the existing zoning. Other individuals might contend that the value of existing buildings might be reduced by the proposed zoning. He disagreed; however, he acknowledged that the proposed rezoning might reduce future speculative values. He stated that he lives in the 2200 block of Green Street, which is developed with R-1 and R-2 buildings; and, using that block as a case in point, he observed that higher density zoning

does not always generate higher density development. Nevertheless, it seemed to him that the purpose of the subject application was to stabilize the existing nature of development in the area; and, in order to achieve that objective, he felt that the application should be approved.

Louis Loewenstein, also speaking on behalf of the Pacific Heights Association, stated that the brochures which had been placed before each member of the Commission also contained a summary of existing development in the area indicating that 54% of the lots are in R-1 or R-2 use, 23% of the lots are in R-3 or R-3.5 use, and 23% of the lots are in R-4 or R-5 use. Yet, under the zoning which had been recommended by the Director of Planning, he estimated that 23% of the area would be zoned R-3 and that 75% of the area would be zoned R-4 or R-5; and he felt that the zoning which had been recommended by the staff of the Department of City Planning would inevitably change the development character of the neighborhood from the present R-1 usage to an R-3 or R-3.5 usage. He remarked that there is reason for believing that neighborhoods which have a population of 30 or 35% of a particular ethnic group will rapidly change to a point where that ethnic group will account for 80 or 85% of the population of the area; and, by the same token, he felt that the subject neighborhood would quickly change to R-3 or R-3.5 development if the Commission were to accept the staff's rezoning recommendation. In conclusion, he noted that an editorial which appeared in the Examiner approximately one year ago had indicated that studies had shown that the cost of community services skyrockets with high density construction; and the editorial had urged the Department of City Planning to take note of that fact.

Commissioner Fleishhacker noted that Mr. Loewenstein had felt that the staff's proposal for reduction of the existing zoning would lead to an increase in the density of the area; and he asked him if he also felt that the converse would be true. Mr. Loewenstein replied that a majority of lots in the area are presently devoted to R-1 or R-2 usage; and it appeared that there had not been a great demand for higher density development under the existing zoning; however, if the zoning were to be changed to R-4 and R-3, and if new development were to take place accordingly, the density of the neighborhood would be increased.

William Gilmartin, 2224 Clay Street, stated that he had witnessed a case in which the number of units on a lot in Pacific Heights was increased from one unit to 73 units; and, under such circumstances, greater density can have a very bad effect on the livability of a residential neighborhood. While the Department of City Planning defines density as the number of units allowed per lot, the Defense Department defines density as the number of people living in a square mile; and, under their definition, San Francisco has the second greatest density of any city in the United States, or 15,000 people per square mile. Only the density of New York City exceeds that of San Francisco. He remarked that people no longer have to endure high density because of improved transportation facilities; and he noted that approximately 90,000 people had left San Francisco during the past 10 years to seek a lower density environment in the suburbs. He remarked that Pacific Heights already has a density greater than the City-wide average; and, if the density of the neighborhood were to increase, families living in the area would eventually get tired of the "rat-race" and would move out of the City, leaving

a rather tired and run down neighborhood. He stated that San Francisco already has a number of tired and run down neighborhoods; and he did not feel that the number of such neighborhoods should be increased. He urged that favorable action be taken on the request of the Pacific Heights Association for rezoning of the neighborhood.

At this point in the proceedings, Commissioner Miller absented himself from the meeting room for the remainder of the meeting.

Henry Preen, 2140 Pacific Avenue, regarded the Pacific Heights neighborhood as one of the most ideal residential areas in the City, if not in the world. However, as it has become uneconomical for people to maintain the larger homes which exist in the area, they have been sold for development; and some of the new development, such as the high rise building at Broadway and Laguna Street, had been in extremely poor taste. In other cases, properties have been developed to the maximum density permitted under a 40-foot height limit, resulting in 4 floor structures with a width of 12 or 15 feet. Such buildings might look good when they are new; however, their livability is questionable. Under the circumstances, he felt that steps should be taken to limit the density permitted in the neighborhood. He stated that he generally supported the revised proposal of the Pacific Heights Association; however, where that organization had recommended R-2 zoning, he felt that R-3 zoning would be more appropriate insofar as it would encourage restoration of older buildings. The recommendations which had been made by the staff of the Department of City Planning also seemed reasonable to him except for the fact that he would have recommended R-3 zoning for the Broadway corridor rather than R-4.

Arthur Zief, a resident of San Mateo County, stated that he had purchased property on Pacific Avenue because of the lovely and desirable quality of that area; and he indicated that he would hate to see the quality of the neighborhood spoiled by increased density. He stated that he had purchased his property only five weeks ago and had soon learned that the nearest parking spaces are always located at least five blocks away; and he anticipated that he would not be able to find a parking space within eight blocks of his property after the new apartment building being constructed by Mr. Sangiacomo has been completed.

Paul Hartman, owner of property at Pacific Avenue and Franklin Street, stated that he had preserved low density development on his property in spite of the fact that it is zoned R-5 and is surrounded by high-rise buildings; and he noted that his is the only building in the area which has a garden. He remarked that the assessed value of his property would not be changed if the zoning were to be reduced; yet, construction of new high-rise buildings has had an effect on the assessed value of properties such as his which have less dense development. As a result, it seemed to him inevitable that less dense development would eventually be torn down and replaced by high-rise buildings if the zoning in the neighborhood were not reduced. He felt that the theory behind the Pacific Heights Association's request for rezoning was absolutely desirable; however, he believed that the matter should be approached carefully.

James C. Fabris, Acting Executive Vice-President of the San Francisco Real Estate Board, spoke in opposition to the application. He stated that his organization was dedicated to achieving the highest use of property and to furthering the interests of real property ownership. He stated that his organization was not opposed to constructive rezoning; however, they felt that no downward rezoning should be approved without a showing of public interest. He noted that the Urban Design Plan had been adopted only a short time ago; and he believed that approval of scattered attacks on the plan would ultimately have a damaging effect on the plan. The Urban Design Plan should not be amended upon a "piece meal" basis. In addition, he stated that his organization was generally opposed to "down zoning" because such reclassifications have an adverse economic effect. He remarked that Pacific Heights is one of the few residential districts of the City in which high-rise structures are permitted; and he pointed out that the hill configuration of the neighborhood is very accommodating to high-rise development. He believed that continued high-rise development in the subject neighborhood would be in the best interests of the neighborhood itself and of the City at large. Therefore, he urged that no changes be made in the existing zoning of the area.

Winifred McCarthy read and submitted the following statement which had been prepared by Orville C. Pratt, IV, President of Apartment House Associations Consolidated, in opposition to the subject application:

"Irregardless of the reason for this request for reclassification my owners do not want to be penalized by this change in the classifications.

"There are numerous buildings in the area whose owners have already seen the changes in their classifications since the buildings were erected and are already, due to your changes, rendered out of compliances, this is an injustice.

"Buildings built at the time of a 2nd residential designation found that during the Lapham regime came up with a R-3 classification and now you plan to make the classification R-2.

"Let me call to your attention the fact that should this change come to pass, you immediately lower the value of the properties. If in fact, a fire should destroy or damage 50% of the building under your new designations the owner would not be permitted to repair or rebuild the building and if it had to be demolished the owner would only be able to conform to the present zoning i. e. a 21 unit building for instance would have to be replaced with a two unit building which would be a disaster for the owner.

"The tax load on the rental property owners at this time is staggering and if you choose to take the properties to the new classes there will be a shortening of the tax base instead of spreading it. There is no

need for the downward change in the classes as you indicate. Multiple housing units MUST be permitted to exist in this area as in any other area of San Francisco.

"Historically San Francisco, limited in area as it is, must be permitted to go up, there is just no other way unless you want to stifle the growth of San Francisco and make it necessary to import the working citizens from outside the City.

"The Planning Commission must give more serious thought and consideration to what is best for San Francisco, not limit it to certain property owners who want to keep their area from growth."

President Newman asked if the statement made by the last speaker to the effect that buildings suffering damage of more than 50% by fire could not be rebuilt if the zoning were changed was a factual statement. Mr. Steele replied in the negative, indicating that buildings destroyed by fire or natural disaster could be reconstructed. However, if buildings were to be torn down voluntarily, any replacements would have to conform to the new zoning.

President Newman now called on speakers who were interested in specific parcels of property in the north east quadrant of the subject neighborhood.

Mrs. Curran, 2021 Pacific Avenue, advised the Commission that the population density of her immediate neighborhood had increased drastically during the last year with the construction of one new apartment building which contains 82 units. She stated that she lives in one of four victorian buildings on her block; and she indicated that she supported the application of the Pacific Heights Association for the purpose of preserving the character of the area. She stated that only four individuals in her block had refused to sign the petition in support of the application.

Eileen Morrissey, owner of property on Jackson Street in an R-1 area, believed that the staff of the department of City Planning had recommended that property at the corner of Laguna and Jackson Streets, which is used by the California Historical Society, be zoned R-5; and she indicated that she would be opposed to that recommendation. After Mr. Steele had explained that the staff had recommended that the property in question be zoned R-2, Mrs. Morrissey stated that she was in favor of the staff recommendation.

Commissioner Porter asked if the California Historical Society could continue its use of the site under R-2 zoning. Mr. Steele replied in the affirmative.

Ralph L. Kaufman, owner of property on Vallejo Street between Gough and Octavia Streets, remarked that the staff of the Department of City Planning had recommended that properties in that block be zoned R-3. He stated that the area is almost exclusively R-1 in use and has a lovely character; and he suggested that it should be zoned R-2 rather than R-3.

Dean Frisbee, owner of a three-unit building in the vicinity of Octavia and Vallejo Streets, stated that he was very much in favor of R-2 zoning and indicated that he objected to the R-3 zoning which had been recommended by the staff of the Department of City Planning. He remarked that there are practically no off-street parking spaces available in the area at the present time; and, under the circumstances, he felt that it would be wrong to allow an increase in the present number of dwelling units.

President Newman now invited comments from individuals interested in specific parcels of property in the north west quadrant of the subject neighborhood.

Mike Hall stated that his property located in the vicinity of Green and Buchanan Streets, is located between 2 buildings of higher density; and, under the circumstances, he felt that it would be inappropriate for the Commission to zone his property any lower than R-3.5. Otherwise, he felt that he would be forced to request a variance to permit development of his property to R-3.5 standards so that he could enjoy the same rights as his neighbors. He noted that the Director of Planning, in giving his recommendations, had been careful to minimize the number of non-conforming buildings which would result; and, although the Pacific Heights Association had modified its request, even the revised proposal would still result in a large number, even a majority, of non-conforming buildings. Under such circumstances, he feared that property owners and developers would lose respect for zoning standards.

Philip Ehrlich, Attorney for the Convent of the Sacred Heart on Broadway, stated that his clients had been concerned about the original proposal of the Pacific Heights Association and had addressed a letter to the Commission requesting that the application be disapproved or that action be postponed for a month to allow further study of the proposal. During the present meeting, the staff of the Department of City Planning had presented its recommendations; and, subsequently, the Pacific Heights Association had submitted a modified proposal. The matter was complicated; and he felt that the Commission should defer action to provide his clients and others an opportunity to determine what is the best zoning for their property.

Rolf Lewis, 2108 Broadway, felt that the principle issue under consideration was whether people care to preserve the beauty of a splendid residential area. He remarked that Pacific Heights is already well developed, containing a sprinkling of apartment buildings, many single- and two-family dwellings, and two schools; and it was his opinion that retention of R-4 zoning would create an impossible situation.

Alfred Clifton, representing the Vedanta Society, which owns two lots at Vallejo and Fillmore Streets, indicated that one of the lots is occupied by a church and that the other is occupied by a monastery. He stated that the society would prefer to retain the R-3 zoning of its property because it permits greater occupancy by a special use in a residential district. If the property occupied by the monastery were zoned R-2, it could be developed with four family units which would probably house approximately 24 people. He advised the Commission

that no more than 20 people are ever housed in the monastery. Furthermore, four families would bring between four and eight automobiles to the area; and the maximum number of automobiles in use by residents of the monastery is four. He also remarked that any further increase in the capacity of the church would require that additional off-street parking be provided, under the provisions of the City Planning Code. Since the property is located at the lower edge of a steep slope, he did not feel that retention of the R-5 zoning would create any problems for the society's neighbors; yet, retention of the zoning would provide needed flexibility for the activities of the society.

Michael Meyers represented Lucille Meyers, owner of a vacant lot on Broadway. He stated that other properties in the area are presently developed to R-4 standards; and, under the circumstances, he felt that approval of the R-2 zoning which had been requested by the Pacific Heights Association would be unfair.

James Frankel, 2418 Pacific Avenue, stated that his property is zoned R-1 and is located just outside of the boundaries of the area affected by the application. He stated that he had come to the meeting somewhat skeptical about the application filed by the Pacific Heights Association since it seemed to him to be a "blunderbuss" proposal; however, he had reacted to the recommendations of the staff of the Department of City Planning with even greater skepticism. At this point, he wondered whether the Commission would merely choose between the proposals which had been made by the Pacific Heights Association and the staff of the Department of City Planning or if it would do what is right for the neighborhood and for San Francisco. It seemed to him that what the staff was recommending was "spot zoning"; and he felt that there must be a better way to solve problems such as density, maintenance of quality and diversity of life, and conversions. He stated that his problem was that the property which he owns is located in a small R-1 enclave which is surrounded by higher density zoning. He regarded the R-1 zoning of his property as "irrational"; and he believed that it would be in his best interests to have his property zoned for higher use. He suggested that neither of the approaches suggested by the Pacific Heights Association or the Department of City Planning would result in the best solution of the problems of the neighborhood; and he urged the Commission to encourage both sides to return to their drawing boards.

Commissioner Porter asked Mr. Frankel if he was requesting that his property be reclassified from R-1 to a higher density zoning classification. On receiving an affirmative response, she asked what zoning he felt would be appropriate for his property. Mr. Frankel replied that he felt that his property should be zoned R-2. He stated that the reason for his request was related to the problem of conversion; and he asked the Commission to consider whether it would rather have the larger old homes in the neighborhood be preserved or have them torn down for apartment buildings.

Commissioner Ritchie asked Mr. Frankel how he would define "spot zoning". Mr. Frankel replied that he did not know what exactly "spot zoning" is; however, it seemed to him that an example of "spot zoning" would be a case in which a small area, resembling a spot, is given special zoning.

John Levinsohn stated that he tended to feel that the Pacific Heights Association's proposal would be too restrictive; and he believed that imposition of such restrictions on utilization of land in the neighborhood may increase deterioration in the area. He noted that Mr. Walker had claimed that the substantial number of vacancies in the subject neighborhood was indicative of the fact that there is little need for new apartment buildings; however, he observed that that claim was contradicted by the fact that the vacancy factor has never exceeded one and one half percent. It had also been claimed that the flight of the middle class from the City is caused by density or zoning; and he indicated that that point was contradicted by a Chamber of Commerce study which had indicated that the two major factors influencing the exodus of the middle class are crime and schools. He felt that the Commission should recognize that the vertical homeowner is no less important than the horizontal homeowner; and he emphasized that a large percentage of the apartment dwellers in Pacific Heights have found security and permanency in their apartments. In conclusion, he suggested that it might be wise for the Commission to take the matter under advisement to provide additional time for review of the proposals which had been made.

President Newman now called on individuals who wished to speak regarding specific parcels of property in the south west quadrant of the subject area.

John Gifford, owner of three lots in the block bounded by California, Laguna, Pine and Buchanan Streets and representatives of another individual who owns property in that block, noted that 1,550 lots were involved in the subject application and remarked that the representative of the Pacific Heights Association had stated that only 734 property owners had been surveyed. As a result, it was apparent to him that a large number of property owners had not been contacted. He stated that there is a relationship between assessed value and taxes; and he remarked that the appraised value of his property had not been reduced following enactment of the ordinance establishing lower height limits. In fact, the taxes on one of his lots absorbs two months worth of the gross rent when he receives. He stated that two of the lots which he owns are developed with Victorian buildings; and, if those properties were to be rezoned, his tenants would not be permitted to do what they are doing now.

Mrs. Arthur Bloomfield, 2229 Webster Street, called attention to the fact that the President of Pacific Heights Neighborhood Council had written a letter stating that the council has adopted a policy endorsing, in general, lowering of the zoning density in the neighborhood which includes the area from Gough Street on the east to Steiner Street on the west and Sacramento Street on the south to Vallejo Street on the north; however, they had not recommended any specific zoning pattern. Personally, she was pleased by the staff recommendation for R-2 zoning in the immediate vicinity of her property since she felt that such zoning would help the neighborhood in its efforts to contain the growth of the Pacific Medical Center. She advised the Commission that only one of the 17 lots recommended for R-2 zoning is developed to a higher density at the present time; and she believed that R-2 zoning would make sense in terms of present development and in terms of what should be there in the future. She also noted that R-2 zoning was proposed on the east side of the Pacific Medical Center Complex; and, in terms of estab-

lishing a policy of containment for the Medical Center, she felt that it would be desirable if properties north of the Medical Center could be zoned R-2 so that the two R-2 districts could be joined.

Commissioner Ritchie inquired about the size of the membership of the Pacific Heights Neighborhood Council. Mrs. Bloomfield replied that she could not give an accurate answer; however, she estimated that the organization has approximately 200 members.

Commissioner Ritchie then inquired about the membership of the Pacific Height Association. Mrs. Maeck replied that the Pacific Heights Association has a mailing list of approximately 2,000 people; however, she did not know how many of those individuals had paid their dues.

Commissioner Ritchie then asked the representatives of both organizations to bring information to the Commission concerning the due paying members which they represent if action on the subject application should be postponed until a later date.

Commissioner Fleishhacker, noting that the Pacific Heights Association had indicated that it represents property owners within the area bounded by Van Ness Avenue, Union Street, Presidio Avenue and Bush Street, remarked that those boundaries overlapped or included the boundaries of other neighborhood organizations, such as the Pacific Heights Neighborhood Council.

Commissioner Porter, speaking to the issue of containment of the Pacific Medical Center, emphasized that the medical center has a Master Plan which was approved by the Commission; and, as a result, she felt that the Commission had provided adequate protection against encroachment of the Medical Center into the adjacent residential area. During the hearings which had been held on that matter, one of the principle issues raised was that of parking; yet she had driven through the area on the previous afternoon and had found that there was less of a parking problem there than in her own residential neighborhood. Now that the new Pacific Medical Center Hospital is in operation, she wondered if Mrs. Bloomfield had found that her previous fears about the parking problem were greater than they should have been. Mrs. Bloomfield replied that she had had to park three blocks away from her home earlier in the day; and she indicated that the medical center's parking garage is now full a great deal of the time.

John Beckham stated that many of the houses in the area have no garages; and he indicated that the parking situation is particularly bad at night.

Bonnie Elliot, owner of property on Clay Street between Fillmore and Steiner Streets, remarked that a number of homes in her block have been restored or renovated; and she felt that R-2 zoning would be appropriate for that area. She stated that the block has several flats, some of which are nice; however, she felt that construction of more buildings of that type would be unfortunate.

Randolf Radosovich, representing his father who owns property on the north side of Vallejo Street near Webster Street, stated that he was generally in favor of "down-zoning" for the purpose of limiting high-rise development; however, he felt that R-3 or R-3.5 zoning would be better than R-2 zoning in the vicinity of his father's property. He remarked that all new apartment buildings are required to provide parking for their tenants; and that is not the case with some of the older single family residences in the area. Therefore, he felt that construction of R-3 or R-3.5 apartment buildings would help to alleviate parking problems in the area.

President Newman noted that the staff of the Department of City Planning had recommended R-3 zoning for that area. Mr. Radosovich stated that the Pacific Heights Association, on the other hand, had requested R-2 zoning for that area; and he suggested that R-3.5 zoning should be considered.

Rudolf Radosovich, the father, stated that he had purchased the property with the intention of constructing a high-rise apartment building; however, that objective had become an impossibility following imposition of a 40-foot height limit. Now, R-2 zoning was being proposed; and, if approved by the Commission, such rezoning would render development of the property uneconomical. He stated that he hoped to build an apartment building on the site and to live in the building; and he hoped that the Commission would zone his property R-3.5.

President Newman now called upon individuals concerned about properties in the southeast quadrant of the area under consideration.

Arthur Zanello representing Martin Gaehwiler, owner of property located on the southeast corner of California and Laguna Streets and of an additional parcel of vacant property of the same block, stated that both parcels of property are presently zoned R-5. He indicated that Mr. Gaehwiler has plans for construction of a 46 unit building on the corner lot; and he indicated that Mr. Gaehwiler also has plans for construction of a twelve unit building on the lot in the middle of the block. The twelve unit building had been designed to R-4 rather than R-5 density standards. He advised the Commission that practically all of the buildings on the south side of California Street in that block have a height of 5 or 6 stories.

President Newman noted that the staff of the Department of City Planning had recommended R-4 zoning for that block; and he asked if that zoning would be satisfactory. Mr. Zanello replied in the affirmative. He indicated that reclassification of the property to R-2, as recommended by the Pacific Heights Association, would have a damaging economic effect on the owner of the properties.

The Director noted that the Pacific Heights Association had amended its initial request and was now proposing R-4 zoning for that block. Under the circumstances, he felt that the problem had been resolved.

William L. Ferdon, attorney for the owners of property within the subject neighborhood, agreed with previous speakers that the matter was too complicated to warrant action by the Commission at the present time; and he urged that the matter be taken under advisement to give everyone an opportunity to become more familiar with the proposals under consideration. His client owns property at the northwest corner of California and Franklin Streets which has been zoned R-5; and he indicated that the recommendation of the staff of the Department of City Planning was that the property be reclassified to R-3. Although the property is within the area encompassed by the Pacific Heights Association as stated on their incorporation papers, he felt that some people might be surprised to find that his client's properties are located in "Pacific Heights". In fact, it appeared that the Pacific Heights Association was presuming to represent a number of neighborhoods; and it seemed to him that they were attempting to rival the jurisdiction of the City Planning Commission. He estimated that between 25 and 30,000 people live within the area affected by the subject application; and, under the circumstances, the fact that the Pacific Heights Association had contacted 734 individuals, most of whom were in support of their request, did not overwhelm him. He stated that his client had not been contacted. He remarked that the citizens of San Francisco had accepted the Urban Design Plan; and he recalled that they had been assured that they could rely on that plan as a policy directive and as a statement of what they could expect to do with their properties in the future. He believed that the proposed rezoning would "fly in the face of the Urban Design Plan". Furthermore, he noted that the staff of the Department of City Planning had recommended R-4 zoning for most of the properties in the Gough and Franklin corridor; and, under the circumstances, he did not understand why the staff had recommended that the zoning of his client's property be reduced from R-5 to R-3.

Commissioner Fleishhacker suggested that one of the reasons for the staff recommendation may have been that the property is subject to a forty-foot height limit.

Mr. Ferdon stated that he also questioned the desirability of the 40-foot height limit; however, under any circumstances, he felt that the existing zoning of the property should be left undisturbed. He remarked that it had been observed that advocacy planners are sometimes out of touch with realism; and he felt that the recommendation which had been made for his client's property was too far from reality. He also suggested that a written report on the Director's recommendation should be made available.

Franklyn Lyons, representing the Broadway, Laguna, Vallejo Association, stated that he had submitted a letter to the Commission on behalf of his clients. He stated that they had been opposed to the original request of the Pacific Heights Association as it pertained to their property; however, he was pleased by the recommendation of the Director of Planning, which was completely different in nature. Nevertheless, he felt that additional time should be allowed for study of the new proposal; and he suggested that the matter should be taken under advisement for one month.

MAY 17, 1973

Subsequently, it was moved by Commissioner Porter and seconded by Commissioner Ritchie that the matter be taken under advisement until the Commission's Regular Meeting on May 31.

The Director suggested that the Commission might wish to hold two committee meetings during the interim. If so, he recommended that the Committee meetings be scheduled at 3:00 p.m. on Wednesday, May 23, and on Friday, May 25.

President Newman requested that the committee meetings be scheduled; and, in addition, he requested that any further comments which people might wish to make be submitted to Mr. Steele in writing.

Commissioner Fleishhacker stated that he still did not understand the manner in which the survey undertaken by the Pacific Heights Association had conducted; and he hoped that the procedures could be clarified at the meeting on May 31.

When the question was called, the Commission voted unanimously to take this matter under advisement until its regular meeting on May 31, 1973. During the interim, committee meetings, open to the public, will be held at 3:00 p.m. at 100 Larkin Street, on May 23 and May 25, for discussion of this matter. No action will be taken during the committee meetings.

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, May 24, 1973.

The City Planning Commission met pursuant to notice on Thursday, May 24, 1973, at 2:00 P.M. in the meeting room at 100 Latkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Lucian Blazej, City Planning Coordinator; James White, City Planning Coordinator; Wayne Rieke, Planner IV - (Zoning); Sidney Shaw, Planner III; Marie Zeller, Planner III - Administrative; Katherine Benziger, Planner II; Emily Hill, Planner II, Carl Nes, Planner II; Gregory Oliver, Planner II; Thomas Whitney, Planner II; Linda Ferbert, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ralph Craib represented the San Francisco Chronicle.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, stated that he had distributed a memorandum on proposed Golden Gate commuter toll and bus fare increases to members of the Commission during the regular meeting on May 17. That memorandum read as follows:

"The Finance-Auditing Committee of the Golden Gate Bridge, Highway and Transportation District has recommended that the district raise tolls and fares in response to the need to maintain a \$7.5 million reserve for emergencies and still pay cash for capital additions to the system. A public hearing on this issue is scheduled for May 24, with implementation to start July 1, 1973.

"The Bridge District has decided to submit an application to UMTA for financing of 32 new buses, and to advise them that expected future needs will be for an additional 15 buses and one ferryboat in 1976-77, and 32 more buses in 1977-78, with the possibility of a third Marin ferryboat terminal.

"If the District pays cash for its share of this new equipment, plus operating expenses, it foresees reduction of its reserves to \$2.8 million at the end of five years. In order to maintain a \$7.5 million

reserve, necessary for emergencies, the Bridge has proposed increasing auto tolls to 75¢. In addition, the present 25¢ per transit ride discount available when using convenience books would be discontinued. The net effect of the proposal will be to raise the basic bridge toll and fare from 50¢ to 75¢, to eliminate the 25¢ per transit ride discount and to give both automobile and transit riders a discount of two free tickets when purchasing convenience books.

"The Transportation Plan states that the number of automobiles entering the city must not increase, and should be reduced wherever possible. It also calls for transit to be the primary mode of travel to and from downtown and all major activity centers, and calls for any commuter increase to be carried by transit rather than by automobile.

"One of the basic tools available to implement these policies is the Bridge District's fare and toll structure. In order to insure that additional commute load is carried by transit and to maintain or reduce automobile usage, tolls should be increased, no discount should be offered to automobile users, and transit fares should remain at the current level.

"I would recommend that the Commission ask the Board of Supervisors to adopt a policy urging no increase in commute bus fares, and recommending that the Bridge District explore further the increase of automobile bridge tolls instead to obtain capital and operating funds. The District should also study the use of higher tolls as a means of encouraging more automobile commuters to use transit for their work trips.

"This action by the Board would reaffirm the Board's previous adoption of a transit-first policy for the City and its recognition of the need to restrict the number of commute automobiles entering San Francisco in order to protect the environment of both the downtown area and the residential neighborhoods through which commuter traffic must pass."

Commissioner Fleishhacker observed that adoption of the policy recommended by the Director would not involve giving fiscal advise to the Golden Gate Bridge, Highway and Transportation District; rather, it would only suggest that any program changes should be aimed at encouraging more people to use transit rather than private automobiles.

Commissioner Mellon remarked that the proposed policy, in addition to encouraging use of transit rather than private automobiles, would also encourage people to live in San Francisco rather than in Marin County.

MAY 24, 1973

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that the memorandum be endorsed and that the Board of Supervisors be requested to adopt a policy urging the Golden Gate Bridge Highway and Transportation District not to increase commute bus fares but to explore further increases of automobile tolls instead to obtain capital and operating funds.

The Director reported that Charles B. Stark, Jr., had requested that the Commission exercise its discretionary review power to review a building application to build a sun deck on the roof of Mr. Stark's neighbor's house at 56 Jordan Avenue. He stated that the proposed deck would be 16 x 18 feet in area and would be surrounded by a solid wooden fence. The top of the fence would be five feet above the height of the present roof. Access to the deck would be through a door in the rear wall of the first floor of the dwelling onto a fire escape-type balcony with an inclined ladder to the roof. The proposal would comply with the City Planning Code and would be categorically exempt from the California Environmental Quality Act according to the list of exempt projects adopted by the City Planning Commission on April 26, 1973. He stated that the staff had reviewed the proposal carefully and had observed the location of the proposed deck from Mr. Stark's property as well as from the property located at 56 Jordan Avenue. On the basis of the review, the staff had found that the application was not unusual or far reaching in its consequences. Therefore, he recommended that the application not be singled out for discretionary review.

Mr. Stark, who was present in the audience, stated that he has a small back yard; and he felt that construction of the proposed deck would interfere with the light and sun which his back yard receives. He remarked that the owners of the deck would be able to use it only a few days each year; yet, the structure would have a year around effect on the adjacent neighborhood, depriving it of light and air and bringing about an invasion of privacy. He stated that the access originally proposed to the deck would have violated the side yard requirements of the City Planning Code; however, plans for the project had been changed to correct that problem. In conclusion, he stated that if neither the City Planning Commission nor the Board of Permit Appeals were willing to revoke the permit, he hoped that the Bureau of Building Inspectors would make sure that the structure is built according to applicable code standards.

At this point in the proceedings, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

Commissioner Farrell asked if work had already been started on the project. The Director replied in the affirmative but indicated that the work had been held up pending the Commission's decision on Mr. Stark's request.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Mellon, and carried unanimously that the request for discretionary review of this matter be denied.

MAY 24, 1973

The Director distributed copies of a draft resolution which he had prepared which would authorize him to submit a supplemental appropriation to effect the reclassification of two positions in the Department of City Planning. Both reclassifications had already been approved by the Civil Service Commission, one involving the reclassification of one position of 5291 City Planning Permit Analyst to 5278 Planner II and the other involving establishment of a new classification of 5284 Environmental Review Officer at a salary level equivalent to that of a Planner IV. Before the reclassifications can become effective, however, the annual salary ordinance for the next fiscal year must be amended by the Board of Supervisors; and approval of the proposed supplemental budget request would accomplish that purpose. That action would also reduce the Department's permanent salaries account for the next fiscal year by \$2,059.

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7019.

The Director reported that the Redevelopment Agency has referred proposed changes to the Yerba Buena Center Redevelopment Plan to the Commission for its report and recommendation to the Board of Supervisors. This matter will appear on the Commission's calendar next Thursday, May 31, at 4:00 P.M.

The Director stated that the draft of the Environmental Impact Report for the Yerba Buena Project has been available for public review since May 4; and he indicated that the Department of City Planning will publish a brief addendum to that report which will be available next week. The public hearing on the report will be held at 3:00 P.M. on June 14.

The Director informed the Commission that the Board of Supervisors has referred the Environmental Impact Report on expansion of the San Francisco International Airport to the staff and Commission for review and hearing. He stated that he will advise the Commission of the hearing date when it has been set.

The Director reported that the Board of Supervisors had acted on Monday to approve the projection ordinance which had been recommended by the Commission.

The Director introduced his new administrative assistant, Marie Zeller, who recently joined the staff of the Department of City Planning.

The Director advised the Commission that he will leave for Hawaii on June 5 to give the Urban Design Plan presentation and will be out of town the remainder of the week.

PRESENTATION OF PROPOSED WORK PROGRAM FOR POLICE FACILITIES MASTER PLAN

Allan B. Jacobs, the Director of Planning, reported on this matter as follows:

MAY 24, 1973

"Under the provisions of the City Charter, the Department of City Planning is responsible for the coordination of long-range planning for public facilities. A primary departmental concern is the location and design of new or replacement facilities, and the objectives and policies, including plans, for guiding these public actions and improvement programs.

"As a result of the combined effort and interest of the Police Department and Department of City Planning, a 'Memorandum of Understanding' for the development of a Police Facilities Plan was prepared this January and, as you will remember, endorsed by both the Police Commission and the City Planning Commission. In essence this 'Memorandum of Understanding' calls for joint participation by the Police Department and Department of City Planning to develop planning objectives, policies, and standards for the location and design of police facilities, to develop a Capital Improvement Program to renew and replace existing police facilities, and to prepare the Police Facilities section of the Community Services Element of the City Master Plan.

"Overall responsibility for carrying out and completing this project rests with the Department of City Planning; however, close coordination, cooperation and input by the Police Department is essential and has been assured through the Police Department's Bureau of Planning and Research, under the command of Captain George Sully who has worked with me through these preliminary stages of program development. I understand that Lieutenant Frank Jordan has been assigned full time to coordinate the Police Department's input to the Plan preparation. To coordinate the Planning Department's input to this project, Lou Blazej has been assigned full time.

"The anticipated duration of this study is 15 months. The principal products and tentative schedule and project outline follows:

- "(1) We plan to complete research and analysis of crime statistics, survey existing facilities and evaluate community impact by the end of October and present this Commission with a 'Background Paper' summarizing study findings and an assessment of existing conditions and cost estimates for updating police facilities. Possible issues requiring policy direction by this Commission will be presented at that time.
- "(2) Within one year, we plan to present to this Commission a 'Preliminary Plan for Police Facilities' for public review and comment. The 'Preliminary Plan' will include general objectives, principles and policies for the location of police facilities; maps and plans for the location of facilities and a suggested capital program for implementation.

MAY 24, 1973

- "(3) A two-month Citizen Review Period is scheduled during which public hearings and informal community review meetings will be held to elicit comments and suggestions from interested civic groups.

"Following this review period, the Preliminary Plan and Capital Improvement Program will be revised as required. The Plan and Capital Improvement Program will then be resubmitted to both Commissions for final action; namely, that the Police Commission endorse the Police Facilities Plan and Capital Program, and that the Planning Commission adopt the Police Facilities Plan as an element of the City Master Plan.

"A more detailed outline of this procedure and the tasks scheduled for the Police Facilities Planning Program has been agreed upon by both the Police Department and Department of City Planning and is contained in the 'Work Program' (which we present to you today).

"I look forward to the successful completion of this planning program since I hope it will serve as a model for similar joint, interdepartmental planning efforts."

Donald M. Scott, Chief of Police, indicated that Mr. Jacobs had made a similar presentation of the proposed work program for the Police Facilities Plan before the Police Commission on the previous afternoon; and he indicated that his commission had asked him to advise the City Planning Commission that they were very interested in the project.

Commissioner Fleishhacker remarked that the report which would complete the project would be adopted by the City Planning Commission as an element of the Master Plan; and, since he felt that it would be desirable for the plan to have as much permanency as possible, he believed that it might be desirable to have the Master Plan element adopted by the Police Department and the Board of Supervisors, also.

The Director remarked that it seemed obvious that the Police Department is anxious to have a police facilities plan in view of the fact that they are paying for preparation of the report; and, in the interest of getting as much support as possible for the final plan, it might be desirable to seek the endorsement of the Board of Supervisors, also.

FINAL ACTION ON THE DRAFT OF THE CONSERVATION ELEMENT OF THE COMPREHENSIVE PLAN.

(UNDER ADVISEMENT FROM MEETING OF APRIL 25, 1973)

Allan B. Jacobs, Director of Planning, reported on this matter as follows:

MAY 24, 1973

"Following the public presentation of the Conservation Plan on March 29th, the Planning Commission held two public hearings on the plan -- on April 12th and April 25th. Although the staff continues to fill requests for copies, there have been no suggestions for changes to the plan itself. I feel there is little likelihood of any unfavorable criticism, and, consequently, I would recommend that you adopt the plan without further ado.

"Prepared for you this afternoon are copies of the document which, if adopted, will constitute the Conservation Element of the Comprehensive Plan. It includes pages 4 through 10 and 54 through 75 of the report that was submitted as the proposal for citizen review. As such, it incorporates various objectives and policies relating to conservation from already adopted Comprehensive Plan elements and the objectives and policies formulated expressly for the Conservation Element. There have been no changes except minor word deletions to bring the document up to date.

"To conform to procedures for environmental impact review, a negative declaration for the Conservation Element has been filed and notice thereof duly published.

"If the Commission is prepared to adopt the Conservation Element, I would present to you a Resolution of adoption, copies of which have been supplied you."

Commissioner Fleishhacker, noting that the first resolve of the draft resolution referred to the draft of the conservation element as contained in a document dated March, 1973, suggested that the correct reference should have been to the document dated May, 1973, which had been placed before each of the members of the Commission. The Director agreed and indicated that the draft resolution would be changed.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Farrell, and carried unanimously that the draft resolution, as corrected, be adopted as City Planning Commission Resolution No. 7020 and that the Conservation Plan be adopted as an amendment to the Master Plan of the City and County of San Francisco.

FINAL ACTION ON THE REVISED DRAFT OF THE IMPROVEMENT PLAN FOR
RECREATION AND OPEN SPACE.
(UNDER ADVISEMENT OF MEETING OF MAY 10, 1973)

Allan B. Jacobs, Director of Planning, reported on this matter as follows:

MAY 24, 1973

"As you know, on May 10 this Commission held the fourth and final public hearing on the 'Improvement Plan for Recreation & Open Space.' A series of proposed revisions were presented to the Commission and to the public at that time, and final testimony on the plan and revisions was heard at that meeting. Minor changes have been made to the May 10 revisions, and a final set of amended revisions is now before you.

"Although the May 10 meeting was the final public hearing on the plan, it was not possible to adopt the revised plan on that date. Since that time, however, the negative declaration required by the State Environmental Quality Act has become final, and the revised plan may now be adopted.

"I would therefore like to recommend to you that you adopt the objectives, policies, text and maps contained in pages 10 through 24 of the document entitled 'Improvement Plan for Recreation & Open Space,' together with the revisions dated May 10, as amended May 24, as the new Recreation and Open Space element of the Comprehensive Plan of San Francisco."

Thomas Malloy, Assistant to the General Manager of the Recreation and Park Department, stated that they welcomed adoption of the Recreation and Open Space element of the Master Plan and felt that it would be very helpful to them, particularly in dealing with the City's neighborhoods. He complimented the staff of the Department of City Planning for the work which they had done in preparation of the Master Plan element.

Harold Sellman, a member of the audience, stated that he was so concerned about dune stabilization and about excessive parking facilities at Ocean Beach.

Commissioner Fleishhacker asked if any changes had been made in the plans since the meeting of May 10. Emily Hill, Planner II, replied that language under the heading of "traffic" on page 21 of the report had been changed in accordance with the suggestion made by Commissioner Fleishhacker during the meeting of May 10.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7021 be adopted and that the revised Improvement Plan for Recreation and Open Space be adopted as the Recreation and Open Space Element for the Master Plan of the City and County of San Francisco.

CONSIDERATION TO DESIGNATE THE TALBOT-DUTTON HOUSE, 1782 PACIFIC AVENUE, AS A LANDMARK.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), described the architectural and historical details of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a landmark.

Paul D. Hardman, owner of the building, remarked that the Assessor has established no specific policy regarding buildings which have been designated as Landmarks; and, as a result, historic buildings which have been owned by the City, such as the Allyne Mansion and the Victorian buildings in Western Addition Project Area A-2, have been valued differently from Landmark buildings which are owned by private individuals. In the case of City-owned buildings, the claim had been made that they have little value because of their age; yet, when privately owned buildings are assessed, significant value is indicated despite their age. If either the Landmarks Preservation Advisory Board or the City Planning Commission could negotiate with the Assessor for a policy which would assist private individuals who own buildings which have been designated as Landmarks, he assured them that their efforts would be appreciated.

Commissioner Porter asked Mr. Hardman if he objected to having his building designated as a Landmark. Mr. Hardman replied in the negative, indicating that it was his intention to preserve the building; however, it seemed to him unfair that the dense construction on adjacent parcels of property should affect the assessed value of his property. He stated that he would not request "spot zoning" for his property; however, he hoped that the Assessor would take note of the Landmark status of the building. In reply to a question raised by Commissioner Fleishhacker, Mr. Hardman stated that the Assessor had assigned a market value of \$140,000 to his property in spite of the fact that he had paid only \$67,000 for the property in 1957.

Commissioner Porter, noting that the subject property is located within the area affected by the Pacific Heights Association's request for reclassification, asked what zoning had been recommended by the staff of the Department of City Planning for the property. Mr. Steele replied that the staff had recommended that the zoning of the subject property be changed from R-5 to R-4.

Commissioner Porter then asked about the number of dwelling units on the subject property. Mr. Hardman replied that the property now has only five dwelling units which house a total of only 6 people. He stated that the property had a considerably greater number of dwelling units when he took it over.

Allan B. Jacobs, Director of Planning, recommended that the building be designated as a Landmark. He also indicated that he would discuss the matter of assessment of Landmarks with the Assessor.

Commissioner Rueda remarked that the only power which the City has over Landmark buildings is to withhold issuance of a demolition permit for a period of up to one year. If a program of tax relief were to be initiated, and if owners of Landmark buildings were to benefit from the tax relief program for a number of years, he felt that they should be obligated to maintain their buildings for a specific length of time.

The Director stated that it might be possible to require that the amount of money saved through tax relief be paid to the city if Landmark buildings should be sold.

Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, stated that a bill is under consideration by the State legislature which would authorize the Board of Supervisors to grant tax relief to properties listed in the National Register. The legislation is complicated; however, it may have some applicability to cases such as the one under consideration.

Commissioner Fleishhacker asked if the staff recommendation for rezoning of the subject property from R-5 to R-4 would affect the character of the non-residential uses which would be permitted on the site. Mr. Steele replied in the negative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 7022 be adopted and that the proposal to designate the Talbot-Dutton House as a Landmark be approved.

The meeting was adjourned at 3:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

UBJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, May 31, 1973.

The City Planning Commission met pursuant to notice on Thursday, May 31, 1973, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John D. Crowley, member of the City Planning Commission.

The Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Robert Passmore, Planner V (Zoning); Daniel Sullivan, Planner IV (Zoning); Samuel Jung, Planner IV; Russell Watson, Planner II; Carl Nes, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Harry Johannson represented the San Francisco Examiner.

1:00 P.M. Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties to be considered during the zoning hearing to be held on June 7, 1973.

2:15 P.M. 100 Larkin Street

Approval of Minutes

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker and carried unanimously that the minutes of the meeting of May 10, 1973, be approved as submitted.

Current Matters

Allan B. Jacobs, Director of Planning, advised the Commission that the Board of Supervisors, meeting on Tuesday, had passed a coastline exclusion request as recommended by the Department of City Planning.

The Director reminded the Commission that a public hearing has been scheduled on June 21 to consider recommendations for changes in the State's environmental review guidelines.

The Director again announced that he will be out of town next week.

The Director distributed copies of a memorandum containing general guidelines and procedures for the improvement of exposed parking lots and requested that the guidelines be endorsed by the Commission. The statement which the Director made read as follows:

"Exposed parking lots are one of the most problematical uses in the City. The Urban Design Plan states that no other element in the street environment is more disrupting than exposed parking, and recommends tightening parking lot standards to implement Plan policies concerning the improvement of neighborhood visual amenities.

"Presently the only real control exercised over the appearance of parking lots occurs in the case of conditional use parking lots in residential zoning districts, and where parking lots are part of a major building project involving discretionary review by the Commission. Essentially, all other parking lots are free of requirements related to visual appearance.

"Because there have been no published detailed criteria for the appearance of parking lots, the staff has prepared a written set of guidelines for the improvement of exposed parking lots. The purpose of these written recommendations is to provide working guidelines that could be applied to all parking lot facilities. They would be issued prior to applications for prior to applications for permits so that the proposed project could be discussed with the department and received direction toward improvements appropriate to the site.

"The principal advantages of printed guidelines are fourfold:

- "1. They may be issued as a full set of directives and recommendations covering all phases of development, as in the case of applications for Conditional Uses.
- "2. They may be kept at hand for repeated reference to details, and may also serve as a source for concepts of design.
- "3. They may be used as an educational tool, to advise developers of matters concern to the City.
- "4. The 'printed work' conveys an official status that will be an invaluable aid in the efforts of the department to achieve a quality of parking lot improvements that will be of benefit to the city.

"The guidelines cover the general layout of parking spaces and driveways, screening of the lot, landscaping, signs, and lighting.

"Staff is also preparing drawings and photographs of the amenities that are recommended in these guidelines, and these will be used to supplement the written guidelines when appropriate.

"The guidelines may ultimately result in a proposal to formally place provisions regulating the appearance of parking lots in the City Planning Code. However, staff believes that written recommendations will be of great benefit in the interim, and the guidelines can be used as a set of trial provisions.

"Your endorsement of these guidelines will aid staff in using them to encourage parking lots which benefit the surrounding neighborhood rather than detract."

Commissioner Porter suggested that action on the proposal should be deferred until next week's meeting in order to give an opportunity to members of the Commission to study the memorandum.

Commissioner Ritchie noted that the heading of the Memorandum indicated that the guidelines were being proposed in order to protect and enhance the residential, commercial, and industrial areas of the City. While he could understand that the guidelines might be desirable in residential and commercial districts, he questioned whether they should also apply to industrial districts. He remarked that it is already difficult enough to keep industries in the City; and, if a policy were established requiring industrial parking lots to have a park-like atmosphere, additional industries might be encouraged to leave the City.

President Newman, noting that the Director would be out of town next week, requested that this matter be calendared for further consideration during the meeting of June 14.

R73.5 - REVOCABLE ENCROACHMENT PERMIT, LAKE MERCED BOULEVARD, EAST SIDE SOUTH OF BROTHERHOOD WAY. GIRL SCOUTS CAMP.

Samuel Jung, Planner IV, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been received from the Manager of Public Utilities.

"The Water Department has offered a 5.6-acre parcel of land located on the east side of Lake Merced Boulevard approximately 310 feet south of Brotherhood Way to the Bay Area Girl Scout Council, for use as a camp site. The rectangular parcel has an 800-foot frontage along the boulevard and an average depth of 280 feet. Dense shrubbery and trees cover much of the sandy terrain.

"The proposed facilities include an unpaved access road and parking area, a 28' x 40' single-story administration building, a toilet building, five camp sites and a central fire circle. All

structures and activities areas are carefully placed in existing open areas to minimize any disturbance to the natural environment. No tree removal is anticipated. A chain-link fence is proposed to be erected along the perimeter of the site with a gate at the entrance. Unfortunately, erection of this type of fencing would detract from the existing open, spatial, natural quality of the area. If it is determined that fencing is necessary for security reasons, then consideration should be given to a more rustic type of fence design that would be more compatible with its surroundings.

"The camp was previously located on a site adjacent to Fleishhacker Zoo, but was displaced in 1972 by the Recreation Center for the Handicapped. Although the land for the subject referral is owned by the Water Department, it has been under the Recreation and Park Commission jurisdiction since 1950. At the time of their displacement the Girl Scouts were assured by both the Recreation and Park and Public Utilities Commissions that they would be permitted to locate new facilities on another site in the Lake Merced area. Various locations were considered, but the site of the subject referral was found to be the most suitable. This parcel is being offered to the Girl Scouts organization free of charge, as was the previous site.

"The Girl Scout Council will operate camping programs on a year-round basis. They will serve approximately 700 children annually with a membership fee of \$2.00 per year, plus a nominal charge for the use of the facilities.

"It is clear that the Scouting organization serves a valuable recreational function in San Francisco. It is an activity which should be encouraged to locate in the City. The Implementation Plan for Recreation and Open Space contains a policy which states in part that 'open space in parks and playgrounds should not be diminished except in a few unique cases.' The Girl Scout organization with its strong emphasis on conservation, protection and enhancement of the natural environment qualifies as one of those unique cases deserving of special consideration. However, there are other organizations with similar goals and they might expect the same consideration if they should request allocation of exclusive use areas. Since San Francisco's inventory of undeveloped open space is so limited, it is obvious that future requests for special use recreational space cannot be honored. Therefore, the feasibility of joint use of a single area for similarly constituted organizations should be considered.

"On April 6, 1973, the Director of Planning found that the proposed facilities would not have a significant effect on the environment, and that no environmental impact report was required under the provisions of the California Environmental Quality Act."

Allan B. Jacobs, Director of Planning, recommended that he be authorized to report that the proposed use of the subject property be approved as in conformity with the Master Plan. He further recommended that the Recreation and Park Department be requested to work with the Girl Scout Council to insure protection of the natural characteristics of the site, as much as possible, through selection of fencing, location of outdoor lighting fixtures and maintenance of an unpaved driveway and parking area. He also suggested that the feasibility of joint use of the facility with other organizations with similar goals should be explored.

Commissioner Ritchie, noting that a residential development had been proposed for property located to the east of the subject site, asked how close the residential buildings would be to the proposed girl scout camp. Mr. Jung replied that the residential buildings would be located approximately 80 feet from the property line.

Molly McGoettingen, representing the Girl Scout's Council, felt that the subject parcel of property would adequately serve their needs. She stated that the Girl Scouts have shared their facilities in the past with other organizations; and she was confident that similar arrangements could be worked out in the future. With regard to the issue of fencing, she stated that it was her opinion that a fence would be essential for security. However, she emphasized that the Girl Scouts are interested in conservation; and she indicated that planting would be installed around the fence. In reply to a question raised by President Newman, Mrs. McGoettingen stated that the agreement between the Girl Scouts and the recreation center for the handicapped had specified that the fence on the Girl Scout property would be installed by the Recreation Center.

Commissioner Mellon asked if the Girl Scouts would be willing to modify the design of the fence. Mrs. McGoettingen replied that the issue of money as well as the issue of safety were involved in the fencing proposal; and she felt that a less expensive fence made more attractive with planting would be the preferable approach.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the assignment as a Girl Scouts camp of the 5.6 acre water department property located on the east side of Lake Merced Boulevard south of Brotherhood Way is in conformity with the Master Plan. It was further recommended that the Recreation and Park Department be requested to work with the Girl Scout Council to assure protection of the natural characteristics of the site as much as possible through selection of fencing, location of outdoor lighting fixtures, and maintenance of an unpaved driveway and parking area. The Commission also suggested that the feasibility of joint use of the facility with other organizations with similar goals should be explored.

MAY 31, 1973

R73.22 - REVOCABLE ENCROACHMENT PERMIT, 2711 TAYLOR STREET - OCCUPY SIDEWALK WITH WOODEN STRUCTURE ENCLOSING CANDY, PRETZEL AND VENDING MACHINE; 2715 TAYLOR STREET, OCCUPY SIDEWALK WITH TABLES, CHAIRS, PLANTER, CANOPY, AND LITTER RECEPTACLES.

Samuel Jung, Planner IV, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been received from the Director of Public Works.

"Granting of this encroachment permit would legalize and permit continued existence of the structures and fixtures in the sidewalk area at 2711 and 2715 Taylor Street, mid-block between Beach and Jefferson Streets.

"At 2711 is a 3'-2" x 9' x 7' high vending structure near the curb which narrows the sidewalk from 14'-4" to 8'-8". At 2715 is a brick planter with posts supporting a canopy over the sidewalk and a lush growth of vines and plants. Abutting the planter is a row of six small tables with chairs for purchasers of beer and pizza at 2715. (A small dining room is also provided on a mezzanine level above the pizza vendor.) The planter and tables narrow the walkway to approximately the same width as at 2711 if chairs facing the planter are not occupied. Litter receptacles, a bread cabinet and a brick enclosure (1'-10" x 4'-2" x 3' high) further narrow the pedestrian path. The net effect is a 6'-10" walkway on a 14'-4" sidewalk.

"Use of the sidewalk area for commercial purposes is not new to Fisherman's Wharf. The Port Authority, which owns the right of way of Jefferson Street and others north of it leases sidewalk space as well as building space. On Taylor Street north of Jefferson the sidewalk has been widened approximately 10 ft. into the former roadway to accommodate sidewalk vending and pedestrian needs.

"Granting of an encroachment permit for the use of the sidewalk for vending and consuming food is contrary to policies in the Urban Design and Transportation Plans.

"Rather than narrowing sidewalks the Transportation Plan states (pg. 22):

"Objective 3. Provide safe and pleasant space for pedestrians

"Policy 1: Widen sidewalks where intensive commercial, recreational or institutional activity is present and where residential densities are high.

MAY 31, 1973

"(Fisherman's Wharf is one of the areas cited in the subsequent text for inadequate sidewalk widths.)

"Urban Design Plan Policies for Conservation speak to the question of commercial use (Pg. 28):

"Policy 8: Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

"Policy 9:

"a. No release of a street area shall be recommended which would result in:

(1) Detriment to vehicular or pedestrian circulation, and

(3) Inhibiting of access for fire protection or other emergency purpose.

"The planter and canopy supports are a relatively minor intrusion into sidewalk width, and probably have little more negative effect than street trees, light posts and other street furniture commonly located along the curb. The chief drawback is its length; it prohibits people from getting in and out of their cars at curbside and prevents access direct to the street from the property. Also, a steel channel on posts at curbside (presumably erected to protect the planter) makes it impossible to emerge from a parked car on the curb side."

Allan B. Jacobs, Director of Planning, recommended that issuance of an encroachment permit for vending stands, cabinets, litter receptacles, chairs and tables be determined to be in conflict with the Master Plan policies which had been noted by Mr. Jung. He also recommended that the planter with canopy supports be declared in conflict with the Master Plan unless openings are provided for emergency access to the street and unless the steel and channel post curbside are removed.

Dean Woods, operator of the pizza parlor at 2715 Taylor Street, stated that the remarks made by Mr. Jung were essentially correct. However, he pointed out that the northern portion of the curb space is designated as a loading zone; and as a result, only two curbside parking spaces are available. He stated that no problems had arisen as a result of the street furniture over the past 17 years.

Donald Sweet, speaking in behalf of the applicant, emphasized that the street furniture had been in place for the past 17 years; and he distributed a photograph of a building which is located in the sidewalk area of Port-owned property in an adjacent block.

Commissioner Porter remarked that the Fisherman's Wharf Area is characterized by intrusions into the sidewalk area. Mr. Jung acknowledged that crab pots have been permitted in the sidewalk areas of Port-owned properties; however, when installed, the sidewalk areas have been widened, also.

Commissioner Ritchie remarked that sidewalk activity and congestion add to the interest of the area.

Charles Thielen, President of the Fisherman's Wharf Association, stated that the members of his organization would be opposed to any further encroachments into the sidewalk area. However, the street furniture in question had been there for a number of years; and his organization felt that it should be permitted to remain for its natural lifetime. He stated that he did not know how the matter had arisen; however, if the City were to require removal of street furniture in this area, his organization would insist that other intrusions into the sidewalk area along Taylor Street made by street artists, newspaper stands and vendors, and other sorts of activities, be removed also.

The Director stated that the matter had come to the City Planning Commission as a referral from the Department of Public Works and had not been initiated as an enforcement action by the Department of City Planning.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that further consideration of this matter be taken under advisement until the meeting of June 7 because of the limited time available for discussion during the present meeting.

At 3:00 p.m. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:10 p.m. for hearing of the remainder of the agenda.

ZM72.16 - PACIFIC HEIGHTS RE-ZONING, GENERALLY WITHIN THE AREA BOUNDED BY UNION STREET, VAN NESS AVENUE, BUSH STREET AND STEINER STREET.

REQUEST FOR RECLASSIFICATION OF RESIDENTIAL PROPERTIES FROM R-5, R-4, AND R-3 TO R-4 AND R-2, DEPENDING UPON ESTABLISHED HEIGHT LIMITS.

(UNDER ADVISEMENT FROM MEETING OF MAY 17, 1973)

Allan B. Jacobs, Director of Planning, remarked that members of the Commission had held two committee meetings since the last time that this matter was before the full Commission on May 17; and he indicated that the staff of the Department of City Planning had met and discussed the application with a number of people during the interim. However, he indicated that the staff recommendation had remained unchanged. One of the questions raised was why the staff had recommended R-3 zoning rather than R-2 zoning for certain areas such as the Green-Vallejo and California - Pine area. In reply, he stated that R-3 zoning would permit very moderate change and growth, primarily through conversions. The condition of the existing dwellings in these areas is generally excellent, and eco-

conomic demand for such architecturally attractive buildings is high. The character of the areas would remain substantially unchanged. Inability to allow some flexibility in use of existing dwellings could result in depressing the area due to an inability to maintain many older buildings at very low density. A question had also arisen as to why the staff had recommended R-4 zoning even in 40-foot height areas rather than R-3.5 zoning; and, in reply, he indicated that the recommendation for R-4 zoning was made because the staff believed that the 40-foot height areas, along with adjacent higher height districts, are the most appropriate places in Pacific Heights to accommodate pressure for increased dwelling units. Permitting growth on the major traffic streets would substantially reduce pressure for new buildings and greater density elsewhere in Pacific Heights. He remarked that many properties within those areas exceed R-3.5 density standards at the present time; and he observed that reclassification to R-3.5 would be little different than reclassification to R-3 since only one additional dwelling unit would result from R-3.5 zoning on a typical 25-foot wide lot. R-4 zoning, on the other hand, would allow approximately twice as many units. In his opinion, expressed concern that entire blocks would be developed to R-4 standards was unwarranted. He stated that merger of lots necessary for such development would be extremely remote because of the existing small lot patterns because of the existence of many buildings which will be retained because they exceed present height limits or have other economic advantages over new buildings and because of the lack of economic incentive given by higher height limits. Furthermore, he believed that the same restraints would make it remote that entire blocks would be developed to R-4 standards on a lot by lot basis in the future.

Given the combination of a 40-foot height limit and an off-street parking requirement, he felt that it was unlikely that full R-4 density would be realized on most properties. While R-4 standards technically permit three times the number of dwelling units allowed under R-3.5, he felt that it was likely that a maximum of about twice the number of dwelling units could realistically be built. Finally, people had asked why the staff had recommended R-3 zoning in certain 40-foot height areas rather than R-3.5 zoning. In those cases, existing development is generally in accordance with R-3 standards; and the staff had felt that R-3.5 zoning would place additional pressure for new development on some properties which are developed less intensely. R-3 zoning would encourage rehabilitation and conversion; and off-street parking often acts as the actual controlling factor.

The Director noted that some of the speakers at the previous public hearing on the subject application had taken the position that R-3 zoning would not encourage remodeling; however, the staff of the Department of City Planning disagreed. Considerable concern had been expressed about the quality of new development; and, in response, he observed that bad development can occur at any density. In any case, he emphasized that the recommendations of the staff of the Department of City Planning would have the effect of lowering density throughout the neighborhood. Some individuals had referred to the recommendations of the staff as "spot zoning"; in his opinion, however, there was no valid basis for that claim. He remarked that there may be better ways than rezoning to solve the problems of the neighborhood; however, he pointed out that what was before the Commission was a zoning issue. In conclusion, he indicated that a letter had

been received requesting R-4 zoning for a lot on Laguna Street south of California Street. That lot is presently zoned R-3; and, since the application before the Commission involved a request for decrease of zoning densities, the Commission could not consider raising the zoning density of the property unless a new application were to be filed.

John C. Walker, representing the Pacific Heights Association, remarked that his organization had offered a compromise proposal during the meeting on May 17. That compromise was based on the density of existing buildings on a block-by-block survey; and he felt that the zoning proposed would represent the character of the area. He stated that the ability to convert old houses to R-3 density standards is difficult because construction of more than three units comes under the provisions of the Fire Code; and, as a result, it is often more practical to tear down the old building and to construct a larger building rather than to attempt conversion. R-2 zoning, on the other hand, does encourage preservation and conversion; and, in fact, he felt that there might be merit in creating an R-2.5 zone. He stated that only 58 people had written in opposition to the Pacific Heights Association's request for R-2 zoning. Yet, 712 property owners had indicated their support for R-2 zoning. The staff of the Department of City Planning had recommended R-4 zoning in certain 40-foot height limit areas; and, in his opinion, such a situation would be ridiculous. The staff had also argued that higher density development should be encouraged on streets which already carry a heavy traffic load; and he did not agree with the logic of that argument, either. The members of his organization were particularly concerned about the staff recommendation for R-4 zoning on Broadway. In general, the recommendations of the staff of the Department of City Planning looked more like feasibility study for a high-rise development project than a planning map. In conclusion, he remarked that the Sacred Heart Convent had objected to R-2 zoning; however, the Hamlin School, which realizes that it is not in the business of property speculation, had written a letter to the Commission, supporting the position of the Pacific Heights Association.

Commissioner Porter emphasized that the Commission had approved a 40-foot height limit for many areas of the subject neighborhood which previously had height limits of more than 200 feet. It seemed to her that the position being taken by the Pacific Heights Association was that absolutely no change of any building in the area should be permitted and that that end could be achieved through R-2 zoning.

Mr. Walker stated that the Pacific Heights Association was not against development; however, the members of the organization felt that R-2 zoning would encourage or force conversions more than R-3 or R-4 zoning.

Commissioner Ritchie reminded Mr. Walker that he had inquired about the number of dues paying members in the Pacific Heights Association during the meeting of May 17; and he asked if figures were now available. Mr. Walker replied that 415 property owners had paid their annual dues of \$10.00 to the organization.

Commissioner Ritchie then asked about the number of parcels of property affected by the subject application. The Director replied that the application affected 1,669 parcels of property which are developed with 11,685 dwelling units and which house 18,251 people. In reply to a further question raised by Commissioner Ritchie, the Director stated that 84 blocks were affected by the application.

Henry Prien, owner of property in the subject neighborhood, stated that he was concerned about the interests of the City as a whole. He stated that he agreed with the Pacific Heights Association that density must be limited because increased density causes neighborhood deterioration; and deterioration affects taxes. Thus, from a dollar and cents point of view, he believed that it would be in the best interests of the City to limit density. He felt that the recommendations of the staff of the Department of City Planning were generally wise; however, he felt that the properties along Broadway should be reduced at least to an R-3 density. He felt that R-3 zoning would encourage conversions; and he suggested that the Fire Code should be changed to require a one-hour fire wall only for public areas in residential buildings.

Charlotte Maeck, representing the Pacific Heights Association, remarked that she had distributed summaries of statistics which had been gathered by her organization during the meeting on May 17; and she indicated that the summary had contained a breakdown of the location of properties owned by individuals who had indicated their support for R-2 zoning. She remarked that five houses are being torn down in an area which was previously designated with an 85-foot height limit; and a new 80-foot building will be constructed on those properties. By the same token, she believed that R-4 development would occur along Broadway in a matter of just a few months if the Commission were to approve the staff recommendation for R-4 zoning in that area.

Harold Shain, owner of property on Pacific Avenue near Van Ness Avenue, stated that it seemed to him that the Pacific Heights Association was primarily bothered by the bad parking problem in the neighborhood; and he could not understand why they expected that the requested rezoning would help that problem. He remarked that adoption of the Urban Design Plan had been billed as a guarantee to the citizens of San Francisco that a certain type of development would be permitted; and, if the Urban Design Plan were to be changed at such an early date, he felt that people would assume that the Urban Design Plan does not mean anything. He remarked that there is nothing wrong with people living in studio apartments if that is all that they can afford; and he felt that property owners should be entitled to have some insurances from the City regarding the stability of zoning. He asked the Commission to reject both the applicant's request and the Director of Planning's recommendation and to leave the existing zoning alone. When problems of equity arise, they can be dealt with on a one-for-one basis.

Herb Elliot, owner of property on Clay Street, stated that he had purchased a five-unit building and had converted it back to single family use; however, if other properties in the immediate area were to be zoned R-3 or R-3.5, smaller dwelling units would be constructed, bringing more people to the block; and such a situation would not be conducive to family living.

A member of the audience stated that raising density lowers the quality of our lives.

Harold Bentson stated that the more that he had thought about the staff recommendation for R-4 zoning in a 40-foot height limit district, the more unconscionable the recommendation seemed. When development occurs under R-4 density standards, single blocks would have as many as 500 dwelling units. He felt that R-3.5 zoning should be substituted for the R-4 zoning recommended by the staff of the Department of City Planning in 40-foot height limit areas.

Bonnie Elliot stated that families with children and dogs cannot live in apartments; and she believed that R-3 zoning encourages development of apartment buildings which attract single people and transients and which do not contribute to the stability of a residential neighborhood. Furthermore, driveways for apartment buildings drastically reduce the amount of on-street parking spaces available.

Mrs. Arthur Bloomfield stated that she was in favor of more R-2 zoning in all areas of the subject neighborhood. She remarked that the mixture of development in the neighborhood at the present time is very pleasing; and she felt that the character of the area should be preserved. Higher density zoning, on the other hand, would tend to bring uniformity to the character of the neighborhood. She also remarked that there should be no need for new apartment buildings in San Francisco in view of the City's decline in population.

Margaret Curran, 2021 Pacific Avenue, also emphasized that the population of the City has decreased rather than increased. She stated that she had taken a stroll in the neighborhood the previous afternoon and had counted 32 vacancy signs; and she indicated that she knows that certain owners of property in the area do not put out signs when they have vacancies. Under the circumstances, she did not understand the need for high or medium zoning in the area.

Kenneth Brown, owner of property on Vallejo Street, stated that he had tried to prevent construction of an apartment building on nearby R-4 property. However, the building, which will contain 43 dwelling units, is going up; and, when completed, it will double the population of the block. Even so, the developer could have constructed 75 dwelling units if he had taken full advantage of the R-4 zoning. In his opinion, even R-3.5 zoning is excessive; and he suggested that the most appropriate zoning for the neighborhood might be R-3. He stated that the President-elect of the American Institute of Architects had recently commented that residential neighborhoods are the most valuable assets of the city and had suggested that residents should be taken into consideration in the decision making process. He also indicated that an architect at the University of Southern California had observed that city dwellers are basically people in search of a community. That same individual had stated that people must be trained out of the idea that it is everything to build and must be made aware of the fact that sometimes it is everything not to build. He felt that his area of Pacific Heights

had been blemished irrevocably by construction of the new R-4 apartment building; and he suggested that San Francisco should take care to avoid achieving a density like certain portions of New York City.

Franklyn Lyons, representing the Broadway, Laguna, Vallejo Association, stated that his clients were opposed both to the original request of the Pacific Heights Association and to the revised request of that organization; and it seemed to them that approval of the Director's recommendation, which in itself was not entirely satisfactory, would be the best compromise. However, if the Pacific Heights Association would not accept the Director's recommendation, he urged that the application be disapproved.

A former resident of New York who now lives in a flat in Pacific Heights stated that she had been greatly impressed with the beauty of San Francisco. However, she stated that the two new high-rise buildings going up on Broadway, which she passes every morning, have taken something away from her life.

President Newman asked if it were the professional opinion of the staff of the Department of City Planning that R-2 zoning would promote conversions more than R-3 zoning. The Director replied in the negative, indicating that it was the opinion of the staff that R-3 zoning would achieve more preservation. As a case in point, he pointed out that the southwest quadrant of the subject neighborhood has a great deal of R-3 zoning; and he indicated that there have been many conversions in that area. Furthermore, while the neighborhood might, on first glance, appear to have an R-1 or an R-2 character, closer analysis reveals that the neighborhood actually has an R-3 character. He stated that there had been 89 conversions and 53 new structures in the area since 1963.

Commissioner Porter remarked that a great deal of the neighborhood has been zoned R-5; and she wondered what impact the staff recommendations would have in terms of density. The Director replied that people rarely build to the maximum density permitted for any number of reasons, the most significant controlling factor being the City Planning Code requirements for off-street parking.

President Newman called on members of the audience who wished to speak regarding specific parcels of property in the northeast quadrant of the subject neighborhood.

Ralph L. Kaufmann, owner of property on Vallejo Street between Gough and Octavia Streets, noted that Commissioner Ritchie had inquired about the number of dues-paying members who belonged to the Pacific Heights Association. However, he suggested that it would have been more pertinent to look at the number of people who had signed the petitions in favor of R-2 zoning. He stated that R-3 zoning would permit the construction of six dwelling units on property located next door to his property whereas R-2 zoning would permit construction of only three units on the site; and, in terms of conversion, three units would be possible where six units would not be feasible. He also remarked that a horrible example of R-4 density had occurred in the middle of his block where a single dwelling unit had been replaced with nine apartments.

Sandra Kirschenbaum, 2518 Gough Street, stated that she had moved to her present location from Baker Street because she liked the residential quality of the area. With regard to the number of people who favored reclassification to R-2, she observed that she knows several people who did not pay their dues to the Pacific Heights Association and had not signed the petitions because they felt that the neighborhood is already lost and because they have made plans to move to Marin County. She stated that she has an off-street parking space; however, on many occasions she is not able to use it because her driveway has been blocked by people who park in the area and then take public transportation to downtown San Francisco. She stated that there are innumerable vacancies north of Pacific Avenue; and she indicated that she had recently counted approximately 20 vacancy signs, some of which were advertising more than one vacancy. She stated that she was anxious to have the character of the neighborhood preserved; and she characterized herself as being for "down zoning" but not for "down grading".

Bertram Smith, owner of property on Vallejo Street, stated that he had converted three buildings; and, since most people prefer living in older buildings which have been converted if the work has been done well, he had experienced no rental problems. He also remarked that larger apartment buildings take a great deal of the street frontage for driveways. Under the circumstances, he favored R-3 or R-2 zoning for his neighborhood.

David Hartley, 2418 Gough Street, stated that most of his block is developed with single family houses; however, since the properties have been zoned R-4, the land itself has been worth \$60,000 to \$80,000 a lot. He stated that single family houses can be converted; however, it is often difficult to provide off-street parking in conformance with the code. More importantly, property owners in his area had been unsure whether they should improve their buildings, given the fact that the land itself is worth more than the buildings. He felt that most of the buildings would accommodate approximately 3 dwelling units. He was grateful that the staff of the Department of City Planning had recommended that the properties be zoned R-3; however, his preference would be to have them rezoned to R-2.

President Newman now called on individuals who wished to speak regarding specific parcels of property in the northwest quadrant of the neighborhood.

Frank Chambers, Chairman of the Board of Trustees of the Hamlin School, stated that he and his associates felt that increasing the density of properties along Broadway in the vicinity of the school by reclassifying them to R-4 would be nothing short of a tragedy.

Commissioner Fleishhacker emphasized that those properties are presently zoned R-5; and, under the circumstances, reclassification to R-4 would not constitute an increase of density.

Mr. Chambers stated that he believed that properties in that area should be zoned R-2 or, at the maximum, R-3. He felt that R-4 zoning would be a mistake.

Kenneth Brown stated that the character of his immediate neighborhood had already been destroyed by construction of the large apartment building which he had mentioned earlier in the meeting. He stated that he had been unable to make up his mind whether R-2 or R-3 zoning would be the best for the neighborhood in terms of encouraging conversions. However, he advised the Commission that the building at 2260 Vallejo Street, which is one of the oldest in the neighborhood, had been purchased by two real estate men for \$93,000. After converting the building, they had placed it on the market again at \$175,000 and had sold it after only one and one half days. Afterwards, they admitted that they had underestimated the potential value of the property. He remarked that R-2 zoning permits conversion in an orderly way, especially insofar as most buildings are able to accommodate two off-street parking spaces; and, as a result, he did not understand the need for high density zoning in the neighborhood.

George Fitch, owner of property on Broadway and Laguna Street, noted that a new apartment building is being constructed on the corner which will contain 215 studio apartments; and he felt that the building gave testimony to the fact that everyone should be concerned about high-rise and high density. He believed that the proliferation of studio apartments in Pacific Heights must be stopped.

Kudolph Radosevich, 2238 Vallejo Street, stated that he was opposed to the Pacific Heights Association's request for reclassification of his property to R-2; however, he would be willing to accept the recommendation of the staff of the Department of City Planning as it pertained to his property. He stated that he hoped to construct apartments for middle-income people; and he indicated that he would provide off-street parking spaces for all of his tenants.

Harold Bentson stated that he was generally in favor of reducing zoning in the neighborhood and indicated that he was generally in agreement with the Director's recommendation. However, the Director had recommended that seven contiguous properties on the south side of Jackson Street and the west side of Laguna Street be rezoned from R-5 to R-2; and the owners of those properties; as indicated in a letter which he had submitted to the Commission, felt that their properties should be zoned R-4 along with other properties to the east, north and south.

Alfred Clifton, representing the Vedanta Society, reminded the Commission that he had made a request during the meeting of May 17 that the zoning of the property owned by the Vedanta Society remain unchanged.

John Beckham, 2321 Webster Street, stated that his block contains 28 pieces of property, most of which are developed with single-family dwellings; and he advised the Commission that all but three of the property owners in the block had signed the petition circulated by the Pacific Heights Association, endorsing reclassification of their properties to R-2. He remarked that the Director of Planning had recommended that adjacent properties be rezoned R-2; and he felt that the request of property owners in his block for R-2 zoning should be honored, also. He stated that some of the properties in his block are owned by older people; and under the circumstances, he felt that it would be easy for a developer to put

together a large package of property which would accommodate a huge development. He noted that the most recent census had indicated that the population of other Bay Area communities had increased while the population of San Francisco had decreased by 4.2%; and he believed that the statistics indicated that people who wish to live in single family homes are being forced to the suburbs. In most cases, those people would probably have preferred to remain in San Francisco if they could have had security that the character of the residential areas would not be changed.

Commissioner Ritchie asked Mr. Beckham if he felt that R-2 zoning would stultify development in the neighborhood. Mr. Beckham replied in the negative and remarked that many buildings in the area, possibly even his own, have been re-converted from flats to single family dwellings.

Commissioner Ritchie noted that the Director of Planning had recommended that the block on which Mr. Beckham lives be zoned R-3; and he asked Mr. Beckham how he felt that that zoning would affect development in the block. Mr. Beckham replied that he was convinced that R-3 or R-4 zoning would eventually lead to replacement of the existing buildings, especially since conversions to R-3 or higher densities must have one-hour fire construction and concrete reinforced foundations, both of which are quite expensive. While the Director had stated that a great many conversions had taken place in R-3 districts in the southwest quadrant of the subject neighborhood, he remarked that 3% loans had been available for the conversions on Bush Street.

Commissioner Ritchie asked if he were correct in understanding that Mr. Beckham felt that R-2 zoning on his block would assure preservation and probable improvement of existing buildings whereas R-3 zoning, as recommended by the Director, would ultimately result in demolition of the buildings. Mr. Beckham replied in the affirmative.

Mrs. Curran stated that 280 new dwelling units have recently been in the process of construction within two blocks of her home; and, since the studio units in the apartment building being constructed by Mr. Sangiacomo will accommodate two people, that building alone will bring 400 new people to the area. In addition, a 42-unit building had been constructed at 2120 Pacific Avenue and is still vacant; and a 40-unit building is replacing a single family residence at 2300 Pacific Avenue. She emphasized that apartments are vacant and that the area has serious parking problems; and, under the circumstances, she could not see any sense in allowing further high-density development.

No one was present to speak with respect to individual parcels of property in the southwest quadrant of the subject neighborhood. President Newman then called on speakers who were concerned about properties located in the southeast quadrant of the neighborhood.

William Ferdon, representing the owners of 3 parcels of property on the northwest corner of California and Franklin Streets, felt that it would be presumptuous of anyone to consider an area as large as the one covered by the subject application and to presume to know what to do so. He stated that no one living

within blocks of the property owned by his clients had indicated their support of R-2 zoning; and he did not feel that the intersection of California and Franklin Streets nor the intersection of Bush and Steiner Streets could be considered to be located in Pacific Heights. He noted that the Director of Planning, in making his recommendation to the Commission during the meeting of May 17, had observed that the application had encompassed not a single neighborhood but a group of neighborhoods; and he also noted that the Director had characterized Franklin, Gough, and California Streets as major thoroughfares. He urged that the entire southeast quadrant of the subject area be withdrawn completely from consideration at the present time. While some changes may be needed in that area, he did not feel that they should be considered as part of such a big package.

Commissioner Ritchie asked Mr. Ferdon if he believed that the Landmark buildings located on the properties on the northwest corner of Franklin and California Streets should be torn down. Mr. Ferdon replied that he felt that the buildings should be torn down eventually unless the City buys them. He stated that he did not believe in inverse condemnation; and, in view of the fact that the buildings had already been designated as Landmarks, he felt that the City should refrain from imposing further restrictions such as lower zoning.

Commissioner Ritchie remarked that he had always taken the position that owners of Landmark buildings should be reimbursed by a 50% tax reduction. Mr. Ferdon acknowledged that such tax reduction would be a step in the right direction; however, the money saved would probably not be enough to cover the cost of maintenance.

Commissioner Rueda asked if the properties owned by Mr. Ferdon's clients are subject to a 40-foot height limit, also. Mr. Ferdon replied in the affirmative and indicated that he was not happy about that fact, either.

Mrs. Maeck advised the Commission that the Pacific Heights Association does represent people in the southeast quadrant of the subject neighborhood.

An owner of property on the south side of Broadway opposite the Convent of the Sacred Heart, stated that he had taken pictures of the effect which the Sangiacomo building would have on views of his and other properties in the area; and he stated that he was amazed that the people of San Francisco could have allowed such a thing to happen.

The Director suggested that the Commission move and second adoption of his recommendations for rezoning and that it then consider any changes which individual members of the Commission might wish to propose as amendments to the principal motion.

On that basis, it was moved by Commissioner Fleishhacker and seconded by Commissioner Porter that the recommendations of the Director be adopted.

President Newman then asked if any members of the Commission wished to propose amendments to the northeast quadrant of the subject neighborhood. He received a negative response. He then called for proposals for changes in the northwest quadrant of the neighborhood.

Commissioner Fleishhacker moved that the seven contiguous parcels of property on the south side of Jackson Street and on the east side of Laguna Street be classified R-4 rather than R-2 as recommended by the staff of the Department of City Planning. He remarked that R-4 zoning for those properties would be consistent with the zoning which had been recommended for the properties to the north, south, and east. The motion was seconded by Commissioner Mellon. When the question was called the Commission voted 5-1 to approve this amendment of the original motion. Commissioners Fleishhacker, Mellon, Newman, Porter, and Rueda voted "Aye"; Commissioner Ritchie voted "No".

Mr. Beckham requested that the Commission also act to give R-2 zoning to the block bounded by Washington, Jackson, Webster, and Fillmore Streets, instead of the R-3 zoning which had been recommended by the staff.

The Director stated that a considerable number of conversions had occurred in that block, both upward and downward. He stated that his recommendation for R-3 zoning remained unchanged.

No motion was presented for changing the Director's recommendation as it pertained to that block.

President Newman asked if any members of the Commission wished to propose changes in the southwest quadrant of the neighborhood. On receiving a negative response, he called for proposals for changes in the southeast quadrant.

Commissioner Fleishhacker moved that the three properties at the northwest corner of California and Franklin Streets be reclassified from R-5 to R-4 rather than R-3 as recommended by the Director. The motion was seconded by Commissioner Mellon.

Commissioner Porter remarked that approval of the modification proposed by Commissioner Fleishhacker would leave the Coleman property to the west as an R-3 "spot-zone" caught between R-5 development and R-4 zoning; and she suggested that Commissioner Fleishhacker's motion should be amended to zone that property R-4, also.

Commissioner Fleishhacker observed that the property immediately north of the Coleman property would be zoned R-3, also; and, as a result, approval of the reclassification which he had proposed would not result in the creation of a "spot zone". He indicated, however, that he had no strong feeling one way or the other regarding Commissioner Porter's suggestion.

Commissioner Porter remarked that the Commission had already reduced the density permitted on the properties by imposing a 40-foot height limit.

The Director pointed out that the Coleman property is an extremely large lot; and he felt that R-4 zoning would be less appropriate for it than for the three adjacent lots. When asked by Commissioner Fleishhacker to explain the reasons for the staff recommendation, the Director stated that his recommendation had been based on existing and future uses; and he felt that R-3 zoning would provide greater protection for existing houses in the area than R-4 zoning.

When the question was called on the motion to zone the three parcels of property at the northwest corner of California and Franklin Streets R-4, Commissioners Fleishhacker, Mellon, and Porter voted "Aye" and Commissioners Newman, Ritchie and Rueda voted "No". Therefore, in accordance with the Rules and Regulations of the City Planning Commission which specify that a tie vote on any matter before the Commission shall be deemed to be a disapproval thereof, the motion failed.

No further amendments were proposed.

Commissioner Ritchie stated that he felt that he could not vote for the amendments since he intended to vote against the principal motion. He indicated that he had given a great deal of study and thought to the matter before the Commission; and he felt that the Commission was losing sight of the real objective of what the Pacific Heights Association was trying to do, which, in essence, was to try to insure the preservation of the way of life in the area, which could continue over the decades, by lowering the density of the area. A compromise had been offered by the staff of the Department of City Planning; but, in his judgment, the best interests of the neighborhood and of the City as a whole would best be served by approving the Pacific Heights Association's request. Following adoption of the height and bulk ordinance by the Commission, the members of the Pacific Heights Association had undertaken the rezoning application as a further strong step towards reducing the density and preserving the character of the Pacific Heights neighborhood. Major concern had been caused, in part, by what has actually been happening in the area: Mammoth and ugly apartment buildings have been constructed, which have further congested an already overcrowded area, filling up large parcels of prime property and adding more and more units to this district which has a population of more than 18,000 people in some 84 city blocks. Looking ahead to the year 2000, he felt that it was extremely important that an effort should be made to control the density of the neighborhood in order to preserve its character, and to make it more desirable for family living. He stated that he did not favor R-3 zoning in 40-foot height limit districts or R-4 zoning in 80-foot height limit districts since he felt that such zoning would ultimately result in unattractive wood-frame and stucco structures nor was he in favor of zoning which permits construction of the type of concrete buildings now appearing on Broadway. However, he did feel that the carefully developed plan of the Pacific Heights Association, if adopted, would actually result in the preservation and improvement of the neighborhood. Conversely, he felt that the zoning pattern which had been recommended by the Director would not accomplish that end. He stated that he did not agree that R-2 zoning would discourage improvement and upgrading of properties in the area; rather, he believed that the adoption of the plan of the Pacific

Heights Association would bring about a gradual improvement and upgrading of properties and that it would make the area far more appealing for families; and, as long as we can try to improve our zoning to encourage family life in San Francisco, the better we are helping the long-range future of Pacific Heights. By eliminating most of the request R-2 zoning, he felt that the many of the attractive older buildings in the neighborhood would gradually be knocked down one by one "like so many wooden indians". He stated that he intended to vote against the principal motion not because he was against lowering density in the area but because he felt that the zoning which had been requested by the Pacific Heights Association would be better than that which had been recommended by the staff.

President Newman remarked that Commissioner Ritchie must have found some of the Director's recommendations to be adequate; and, if so, he wondered why he had not offered motions to amend the recommendations of the Director with which he disagreed. Commissioner Ritchie replied that he believed that some of the zoning which had been recommended by the Director would guarantee ultimate demolition of many existing noteworthy buildings and he indicated that he preferred to stand in support of the Pacific Heights Association's entire proposal rather than to amend the Director's complex recommendations, and that in his support of the Pacific Heights Association's proposal, he considered it a suitable additional supplement to the steps already taken by the Commission through the Urban Design Plan.

Commissioner Porter asked how Commissioner Ritchie, as a real estate agent, could recommend R-2 zoning in an 80-foot height district. Commissioner Ritchie stated that he tried not to allow his position in the real estate business to influence his actions on the Commission.

Commissioner Rueda remarked that the proposal to reclassify more than 80 city blocks was really difficult to understand; and he felt that many property owners who had not been able to present their case to the Commission were being treated unfairly. While he would have preferred to retain R-5 zoning in 105-foot height limit districts, he believed that the R-4 zoning which had been recommended by the staff would be adequate and might provide some opportunity for lower income people to live in the beautiful Pacific Heights Neighborhood. He stated that he would vote in favor of the principal motion.

Commissioner Fleishhacker believed that the Director's recommendation had addressed itself to the general issue of trying to preserve the character of the neighborhood to the maximum extent practically possible; and he emphasized that adoption of the Director's recommendations would result in a substantial "down zoning" of the area, eliminating all R-5 districts and changing many R-4 and R-3 districts to R-3 and R-2 districts. The only real difference of opinion seemed to relate to the issue of how far it is practically possible to go in terms of "down zoning". Some of the members of the audience had taken the position that the recommendations of the staff would result in increased density; however, he felt that it should be clearly understood that adoption of the amended motion presently before the Commission would substantially reduce the density permitted in the neighborhood. On the other hand, he felt that the proposal of the Pacific Heights Association was too drastic, that it would be unfair to property owners, and that it would not preserve the area.

Commissioner Porter agreed with Commissioner Fleishhacker and indicated that she was confident that adoption of the Director's recommendations would result in preservation of the character of the area. If action were to be taken to establish a blanket R-2 zoning for the neighborhood, as requested by the Pacific Heights Association, she believed that the Commission would be faced with floods of requests for reclassification of individual parcels of property.

President Newman believed that adoption of the motion before the Commission would constitute a very important step in the right direction. He regarded the Pacific Heights Association's proposal as an excellent plan; however, the professional staff of the Department of City Planning was of the opinion that R-3 zoning would better serve the interests of the neighborhood than the R-2 zoning which had been requested by the applicants. He urged members of the audience to watch future developments carefully; and if R-3 zoning should prove to have undesirable consequences, the matter could be brought before the Commission for further consideration.

When the question was called, the Commission voted 5-1 to adopt Resolution No. 7023 and to approve the application in part as recommended by the Director with one amendment relating to contiguous properties located on the south side of Jackson Street and on the west side of Laguna Street. Commissioners Fleishhacker, Mellon, Newman, Porter, and Rueda voted "Aye", Commissioner Ritchie voted "No".

REVIEW OF AMENDMENTS TO THE OFFICIAL REDEVELOPMENT PLAN FOR THE YERBA BUENA CENTER APPROVED REDEVELOPMENT PROJECT AREA D-1, AS PROPOSED IN SAN FRANCISCO REDEVELOPMENT AGENCY RESOLUTION NO. 92-73.

Robert Passmore, Planner V (Zoning), reported on this matter as follows:

"The Redevelopment Agency has submitted to the City Planning Commission for the Commission's report and recommendation to the Board of Supervisors the attached proposed amendments to the Redevelopment Plan for the Yerba Buena Center Redevelopment Area D-1.

"Proposed Amendments:

"The proposed amendments cover two basic subjects. Amendments one and two deal with financing public facilities in Project Area D-1 by issuance and sale of Redevelopment Agency bonds. Amendments three and four deal with changes in land use required under the plan for three separate sites in conformity with provisions of the recent agreement between Tenants and Owners in Opposition to Redevelopment ("TOOR") and the Redevelopment Agency.

"Under the TOOR/Agency agreement the sites shown on the attached map titled 'Proposed Housing Sites' as Sites 1, 2 and 3 are to be made available for low-to-moderate income housing for mature adults exclusively, except that Site 1 must also be developed with commercial uses.

The proposed plan changes would redesignate Site 1, which has an area of 32,250 square feet, including a portion of Tehama Street, from C-Downtown Support to D-Housing with the stipulation that commercial uses must also be provided. Site 2, which has an area of 15,600 square feet, and Site 3, which has an area of 29,120 square feet, including a portion of Clara Street, would be redesignated from E-Business Services and Light Industry to D-Housing. Currently the only properties within the Project Area designated D-Housing are the Clementina Towers Public Housing, adjacent to the west of Site 1, and a parcel on the north side of Clara Street east of 4th Street which will be part of the authorized Salvation Army low-income housing planned unit development. The current Land Use Plan for the Yerba Buena Center is attached. Under the current Redevelopment Plan the D-Housing designation, which is defined as 'housing specifically designed for occupancy by mature adults including off-street parking and supporting recreational and other facilities,' carries only one standard - a maximum floor area ratio of 7 to 1. No change or additions to the standards are proposed by the Redevelopment Agency. Thus, it is proposed that the plan not contain standards for density, open space, off-street parking, or building height and bulk; however, the Redevelopment Agency is given the power under the Plan to evaluate architectural and landscape plans, and may establish and implement detailed design criteria by appropriate provisions in disposition documents for land. Neither the proposed amendments, nor the TOOR/Agency agreement specify the number of dwelling units to be developed on the three proposed housing sites.

"The site of the Lincoln Elementary School, Site 4 on the attached Proposed Housing Sites map, was also listed in the TOOR/Agency agreement for development of low-to-moderate income housing for mature adults; however, the Redevelopment Agency currently plans to propose this site as a separate Redevelopment Project at a later date.

"San Francisco Master Plan Provisions:

"The entire Yerba Buena Center Project is designated on the 'Generalized Residential Land Use Plan by Density and Building Type' in the Residential Element of the Master Plan as Commercial and Industrial. High Density Residence as a mixed use with commercial and industrial uses is designated for the band of land between Mission and Folsom Streets adjacent to the west of the Project. High Density Residence is defined generally in the Master Plan as 10 to 20 unit apartments - 3 to 8 stories high having a density of 60 to 200 dwelling units per acre (120 to 440 persons per net acre).

"Under the Residential Element policy to distribute low income housing throughout the City, the Master Plan calls for placing new subsidized low-income housing in areas not presently having a higher percent of subsidized low-income housing than the citywide percent. In the South of Market area 10.6 percent of the total dwelling units are public housing, over 3 times higher than the citywide 3.14 percent; however, the Plan does allow additional low-income housing where there is a desire on the part of the community involved to provide more low-income housing.

"Guidelines for public housing (low-income housing) distribution in the Master Plan call for separating low-income housing developments in High Density Residence areas by a minimum distance of one block.

"Under the Urban Design Element of the Master Plan, conservation Policy 9 states that no release of street area shall be recommended which would result in enlargement of a property allowing additional dwelling units in a multi-family area.

"Existing Zoning:

"Site 1 is currently zoned C-3-S (Downtown Support) where residential development may be permitted as a conditional use. Sites 2 and 3 are zoned M-1 (Light Industrial) where new residential development is prohibited unless authorized as a planned unit development. Site 1 is in a 340-I Height and Bulk district and subject to a maximum floor area ratio of 7 to 1. Site 2 is in a 130-L Height and Bulk district, and Site 3 is in an 80-K Height and Bulk districts; both sites are currently subject to a maximum floor area ratio of 5 to 1.

"Surrounding Existing and Proposed Development:

"Adjacent to the west of Site 1 the Clementina Towers contain 276 units for low-income elderly persons. Within the same block at the northeast corner of Clementina and 5th Streets the recently completed Alexis Apartments contain 200 units for low-to-moderate income elderly persons. The Salvation Army Apartments proposed for a site fronting on Shipley and Clara Streets midway between 4th and 5th Streets will provide 253 units for low-to-moderate income elderly persons. This development is to include also a community dining room, an auditorium and library, a small chapel, and retail commercial market space. Thus 734 publicly subsidized dwelling units for low-to-moderate income elderly persons are either recently completed or planned for construction in the immediate vicinity of Sites 1, 2 and 3. No recently built market-rate housing exists in the area, scattered older dwellings and residence hotels are in the area west of the Redevelopment Project Area.

"The Lincoln Elementary School is closed for teaching, and is currently used by the Board of Education for storage.

"Except for the accessory facilities to be built as part of the Salvation Army Apartments few if any shopping or other residential services are provided in the vicinity. According to the Housing Authority lack of conveniences and security are the two most common complaints of residents of Clementina Towers.

"The Block east of Sites 1 and 2 is proposed for a high rise office building, convention space and a sports arena. Adjacent to the east of Site 2 is an automobile service station that is to be retained under the Redevelopment plan, and adjacent to the south, outside the Redevelopment Project Area, is a machine shop. A parking lot abuts Site 2 to the west. Manufacturing uses in one and two floor buildings and parking lots occupy most of the properties further to the west and south of Sites 1 and 2.

"Adjacent to the north and south of Site 3 are low-rise manufacturing uses that are to be retained. New commercial development is contemplated for the remainder of the block, but no developer has yet been selected.

"Harrison and 4th Streets currently carry intensive commercial and industrial traffic. Fourth Street will be major traffic street for the public facilities within the Redevelopment Project, and this street leads to an on ramp for the James Lick Freeway.

"Conclusions:

"The three sites proposed to be designated for housing are not now in an area designated for Residential Use in the Master Plan, and the two southerly sites are not zoned for residential purposes. The sites have few residential amenities and are insufficiently buffered from commercial and industrial uses and traffic to the west and south.

"To be used residentially, Site 1 would have to be authorized as a conditional use. Sites 2 and 3 would have to be either reclassified to spot residential districts, or authorized as planned unit developments. Existing zoning would permit residential conditional uses generally north of Folsom Street.

"No standards have been established to assure that Master Plan or City Planning Code standards for density or building height and bulk would be met.

"The proposal to develop the subject sites for housing low-to-moderate income elderly persons could result in seven developments for such purposes within a concentrated area. No market rate housing is proposed. The exact number of dwelling units is unknown; however TOOR has talked about approximately 500 units. If such would be the case, approximately 1230 dwelling units for low-to-moderate income elderly persons would result."

President Newman asked if this matter had come before the Commission for public hearing. Mr. Passmore replied in the negative, indicating that the responsibility of the Commission was to make a recommendation to the Board of Supervisors which will be considered when the public hearing on the matter is held by that body.

Commissioner Porter asked if she were correct in understanding that an agreement had been reached between residents of the South of Market area and the Redevelopment Agency regarding the proposed housing site. Commissioner Mellon stated that such an agreement has been reached as a result of a law suit concerning relocation; and he indicated that the agreement would serve as the basis for settlement of the law suit.

Allan B. Jacobs, Director of Planning, stated that it had been difficult for the staff of the Department of City Planning to prepare a recommendation on this matter. While he recognized that the community may have reason to proceed with construction of the proposed housing immediately, the basic concern of the staff of the Department of City Planning must be good planning on a long term basis. In that light, the staff had tried to formulate a positive recommendation which would result in a stable residential area south of Market Street. He then proceeded with his recommendations which read as follows:

"Recommend Director be directed to advise the Board of Supervisors that:

- "1. Proposed Plan Amendments 1 and 2 dealing with financing project should be approved.
- "2. Proposed Plan Amendment 3(b) and 4 dealing with the redesignation of Site 1 to housing as a mixed use with commercial should be approved.

"In general, the concept of such development may be similar to the Fox Plaza. This Department has advocated the use of this site, and the site immediately south of it, for residential development since authorization of the Clementina Towers.

- "3. Proposed Plan Amendment 3(a) dealing with the redesignation of Sites 2 and 3 to housing should be disapproved. Except that Site 2 may be redesignated housing if the adjacent site to the east, currently a service station, is redeveloped with market rate housing or amenities for

residential occupants of Site 2. To permit such redevelopment the Board of Supervisors should request the Redevelopment Agency to prepare an amendment to the Plan that would require such development. Site 3 should not be redesignated housing in any case. The immediate proximity of this site to industrial uses, and location at a freeway intersection and on two heavy traffic volume streets make it totally unsuitable for any form of residential development.

- "4. If new housing sites are to be designated in the Yerba Buena Center Project as proposed by the Redevelopment Agency's current proposal, the Board of Supervisors should require the Redevelopment Agency to prepare additional plan changes, and the initiation of actions that would result in the construction of market-rate housing as a mixed use with Commercial uses in those areas of the Project where currently zoned C-3-S in which district residential uses are permitted by conditional use. This area is basically between the south side of Mission Street and the north side of Howard Street for the full width of the Project.
- "5. The Board of Supervisors should also request the Redevelopment Agency to consider plan changes that would permit development of market-rate housing as a mixed use in the northeastern portion of Assessor's Block 3751, and any uncommitted portions of Assessor's Block 3750.
- "6. The Board of Supervisors should require the Redevelopment Agency prepare amendments to Footnote 5 under Subsection C of Section II-Project Plan to include the height and bulk provisions of the City Planning Code. In no case should development on any of the sites subject to amendments exceed the current standards of the Planning Code.
- "7. The Board of Supervisors should request that the Redevelopment Agency evaluate services needed by low-and-moderate income residential occupants within Yerba Buena Center Project and develop appropriate criteria to provide space for such services either on residentially developed sites or on adjacent sites, with implementation through disposition or owner participation documents.
- "8. The vacation of a portion of Tehama Street for merger with Site 1 should not be for the purpose of accommodating additional dwelling units, but rather to provide the site with sufficient design flexibility to permit the provision of residential amenities such as open space or service areas.

"Lincoln Elementary School Site:

"Although not part of the presently proposed Redevelopment Plan Amendments, this M-1 zoned site, adjacent to industrially developed properties, and over-looking the 4th Street freeway ramp appears unsuitable for residential development and should not be considered for such. It is difficult to foresee a new redevelopment project proposal that would successfully solve the inherent problems of this site. The Redevelopment Agency and the School District should be forewarned that a Master Plan Referral to develop this site for housing is not in conformity with the Master Plan."

Commissioner Mellon stated that he could agree with a great deal of what had been said by the Director with regard to the planning aspects of the proposal. However, he noted that the agreement had been reached following a long period of negotiation; and, during that process, the feasibility of alternate sites for the proposed housing was fairly well explored. He realized that the Commission was faced with a difficult decision; however, it seemed to him that overriding considerations from a social standpoint, as well as the interests of the city as a whole, might possibly outweigh the planning considerations involved in the present instance. The agreement which had been reached was the best possible compromise which the Redevelopment Agency and TOOR could effect; and, in view of that fact, he asked the Commission, in reaching its decision, to take into consideration the overriding importance of the entire project in terms of City-wide interests and in terms of the social implications of the proposal.

Commissioner Ritchie asked Commissioner Mellon if he would favor development of housing on sites 3 and 4. Mr. Mellon replied that he could not argue that those were the best possible sites for residential development. However, residents of the area feel that development of housing on those sites would be desirable; and he observed that they will be the first people to occupy the buildings.

Commissioner Ritchie pointed out that the Bay Bridge approach, which lies immediately adjacent to sites 3 and 4, has the highest traffic count in the Bay Area; and, as a result, a tremendous amount of noise is generated.

Commissioner Porter stated that she agreed that development of housing on sites 3 and 4 would be undesirable from a planning point of view. However, negotiations over the Yerba Buena project had been drawn out over a period of time; and, if the agreement reached between the Redevelopment Agency and TOOR were to be rejected, everything would be back where it was six months ago. She asked if the staff of the Department of City Planning had been consulted by the Redevelopment Agency when the agreement was being worked out. The Director replied in the negative.

Commissioner Fleishhacker asked about the legal nature of the City Planning Commission required report to the Board of Supervisors. Mr. Passmore replied that he had been advised by the City Attorney that the Commission's recommendation to the Board would be advisory only and could be overruled by a simple majority vote.

President Newman asked Commissioner Mellon how he felt that transmittal of the Director's recommendation to the Board of Supervisors would affect the Yerba Buena project. Commissioner Mellon replied that it was his opinion that transmittal of the Director's recommendation would pose a major obstacle. It was his suggestion that the Commission should approve the project and merely send the Director's comments to the Board for its information.

The Director stated that he had no disagreement with Commissioner Mellon's suggestion. He stated that his recommendation had been based on a planning point of view; and he realized that the greater interests of the City might be served by foregoing planning concerns in the present instance for the purpose of validating the agreement which had been reached between the Redevelopment Agency and TOOR. However, he felt that the City should know what it is doing. He stated that he had made his recommendation as he felt he had to; and if the Commissioner were disposed to act otherwise, he hoped that it would, at the very least, request the Board of Supervisors to require the Redevelopment Agency to prepare amendments to Footnote 5 under Subsection C of Section II - Project Plan to include the height and bulk provisions of the City Planning Code since development on any of the sites should not exceed the current standards of the City Planning Code. He believed that his recommendation was a sound one; and he felt that it pointed the way to creating a better residential area.

Commissioner Fleishhacker suggested that the Director's memorandum should be transmitted to the Board of Supervisors with a cover letter stating that the Commission was of the opinion that the planning issues raised by the Director were substantially correct. The letter should also state that the Commission realizes that there are overriding issues of a non-planning nature which are greater concern to the City and which would lead to action contrary to that recommended by the Director of Planning.

Commissioner Mellon suggested that the letter should also state that the Commission does not disapprove of the proposed plan changes as submitted by the Redevelopment Agency, because of those overriding concerns.

After further discussion if was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that action be taken as suggested by Commissioners Mellon and Fleishhacker.

The meeting was adjourned at 6:10 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Tuesday, June 7, 1973.

The City Planning Commission met pursuant to notice on Thursday, June 7, 1973, at 1:30 P.M. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Jr., Assistant Director - Plans and Programs; Robert Passmore, Planner V - (Zoning); Richard Gamble, Planner IV Daniel Sullivan, Planner IV - (Zoning); Joseph Fitzpatrick, Planner III; Roland Haney, Planner III; William Duchek, Planner III - Urban Design; Marie Zeller, Planner III - Administrative; John Phair, Planner III; Wilbert Hardee, Planner II; Nathaniel Taylor, Planner II; Katherine Benziger, Planner II; Linda Ferbert, Planner I; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Carol Pogash represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of November 2, 1972, be approved as submitted.

CURRENT MATTERS

Edward I. Murphy, Assistant Director of Planning, and Walter S. Newman, President of the City Planning Commission, introduced George A. Williams, Jr., who has recently joined the staff of the Department of City Planning as Assistant Director - Plans and Programs.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission Table.

Mr. Murphy distributed copies of a draft resolution which had been prepared to urge and request the Board of Supervisors to memorialize the Assembly and the Senate of the State of California to pass Assembly Bill 2468 calling for the appropriation of funds to acquire land at the Candlestick shoreline for park purposes. He recommended that the draft resolution be adopted.

JUNE 7, 1973

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7024.

Continuing his report, Mr. Murphy read the following statement:

"The Commission has received a letter from the Haight-Ashbury Merchants And Improvement Association dated May 24, 1973 requesting discretionary review of an application for a Police permit to operate a second-hand (Antique) store at 1672 Haight Street in a C-2 District.

"The Police Department referred the application to this Department for review for conformity with the City Planning Code, and approved the application on May 29, 1973. The proposed use is a principal permitted use in a C-2 zoning district, and the subject proposal is not unique in any way. For this reason the Director does not believe that the application warrants special review by the City Planning Commission, and has requested me to recommend that the Commission not exercise discretionary review in this case.

"Procedures under the Police Code and City Charter for processing the subject type of application require an advertised public hearing before the Police Department, at which time members of the public can express concerns, and the Police Chief can recognize those concerns in his action on the proposal. Appeals to the Police Department's decision may be taken to the Board of Permit Appeals.

"Although the Director recommends not taking discretionary action on the subject application, the Department has recognized the concerns expressed by the Haight-Ashbury Merchants and Improvement Association and others from this neighborhood over potentially detrimental and inappropriate commercial uses along Haight Street and has reviewed the nature of these concerns with the Police Department. Consistent with earlier work done by this Department concerning the improvement of Haight Street, staff will advise the Police Department concerning planning guidelines for the application of neighborhood impact criteria in that Department's assessment of commercial activities on Haight Street requiring Police permits."

No one in the audience wished to be heard on this matter.

Commissioner Fleishhacker noted that the proposed use is a principal permitted use in a C-2 district and does not require conditional use authorization by the Commission. Furthermore, he remarked that the only matters which he recalled having been brought before the Commission for discretionary review related to building permits, and more recently to demolition permits; and he asked if the Commission had ever conducted a discretionary review of a use permit. Mr. Murphy stated that he did not remember any occasion on which the Commission had conducted a discretionary review of a use permit. After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that the request for the discretionary review be denied.

Mr. Murphy advised the Commission that the State and National Affairs committee of the Board of Supervisors had met last Friday to consider a proposed resolution which would request that the Port Commission be given first priority for acquisition of the Hunters Point Naval Shipyard at no cost if that property should be declared surplus by the Federal Government. At the conclusion of the hearing, the Committee took the matter under advisement for one month and requested the Department of City Planning to draft an alternate and broader resolution for consideration which would take activities other than those of the Port into account. The additional factors which were mentioned were open recreational uses, housing, private industry, and improved circulation in and around the shipyard property.

R73.22 - REVOCABLE ENCROACHMENT PERMIT, 2711 TAYLOR STREET - OCCUPY SIDEWALK WITH WOODEN STRUCTURE ENCLOSING CANDY, PRETZEL AND VENDING MACHINE; 2715 TAYLOR STREET - OCCUPY SIDEWALK WITH TABLES, CHAIRS, PLANTER, CANOPY, AND LITTER RECEPTACLES.
(UNDER ADVISEMENT from Meeting of May 31, 1973).

Edward I. Murphy, Assistant Director of Planning, remarked that this matter had been discussed during the meeting of May 31; however, because of lack of time, the Commission had requested that the matter be recalendared for discussion during the present meeting. He stated that the staff of the Department of City Planning had previously recommended that the issuance of the requested encroachment permit would be in conflict with the Master Plan; and he indicated that the staff's recommendation had not changed during the interim.

Donald Sweet, one of the applicants, stated that the encroachments had existed in the sidewalk area for approximately 15 years. He hoped that he would be permitted to continue the encroachments; and he indicated that he intended to improve their appearance. He also stated that the encroachments would be fully covered by insurance.

President Newman, noting that the Director of Planning's recommendation indicated that he would not object to the continued existence of the planter with canopy supports if openings were provided for emergency exits to the street and if the steel channel and post at curbside were removed; and he asked if the applicant would be willing to make those changes. Mr. Sweet replied that he would have no objection to those changes.

Commissioner Fleishhacker pointed out that the conditional approval was directed at the planter with canopy supports and that the Director's reaction to the other encroachments was absolutely negative.

Commissioner Porter asked if the staff of the Department of City Planning would take enforcement action against other areas which have sidewalk tables in the revocable encroachment area if the revocable encroachment permit presently being requested were to be denied. Mr. Murphy replied that the subject referral had come to the Department of City Planning as a result of a sidewalk inspector's complaint; and he assumed that the sidewalk inspector would take similar action if he should find a similar situation in other areas in the future.

President Newman inquired about the duration of the present leaseholds on the subject properties. Mr. Sweet replied that the current leases will run for five or ten more years.

Commissioner Ritchie remarked that the removal of sidewalk furniture from one property in the Fisherman's Wharf area will inevitably lead to the removal of such furniture from other properties as well. He stated that exceptions must be made once in a while in order to give character to an area; and he indicated that he would even be opposed to cutting through the planter box and the steel barrier as recommended by the Director.

Commissioner Fleishhacker asked if it would be possible to rearrange the tables; perhaps placing them on the other side of the sidewalk, so that pedestrians would still be able to walk on the sidewalk. Samuel Jung, Planner IV, replied that rearrangement of the tables would be difficult since the Pizza parlor has four entrances.

At this point in the proceedings, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Fleishhacker observed that the applicant is using property which he does not own or rent for commercial purposes. Mr. Sweet stated that he was certain that the Assessor takes the sidewalk activity into account when he assesses the property.

Commissioner Porter stated that she was disturbed by the fact that it has taken the City 15 years to find out how bad the situation is in front of the subject property; and she pointed out that numerous establishments in the Fisherman's Wharf area have crab pots and other equipment in the sidewalk area.

Mr. Jung indicated that most of those establishments are located on Port-owned property; and he advised the Commission that the Port has widened the sidewalks in those cases.

Mr. Sweet stated that some Port-owned sidewalks which contain street furniture have not been widened.

Commissioner Ritchie remarked that while sidewalks may be in the public right-of-way, adjacent property owners are responsible for repairs and maintenance. He observed that property owners are often allowed to occupy space beneath the public sidewalk area without paying rent; and he felt that use of the sidewalk itself should be regarded in the same light.

President Newman asked if the applicant's use of the sidewalk area would be in violation of any ordinance if it were to continue. Mr. Murphy replied that the use is illegal at the present time; however, if a revocable encroachment permit were to be approved by the Board of Supervisors, the use would have legal status.

Commissioner Mellon emphasized that revocable permits may be revoked.

After further discussion, it was moved by Commissioner Ritchie and seconded by Commissioner Porter that the issuance of an encroachment permit, as requested by the applicants, be approved as in conformity with the Master Plan.

Commissioner Fleishhacker stated that he intended to vote against the motion since he felt that there must be a better way to solve the problem.

Commissioner Ritchie stated that the City sometimes tends to "nit pick" businesses to death. He emphasized that the street furniture under discussion had been in place for 15 years; and he felt that the applicant should be granted permission to continue his use of the sidewalk area.

When the question was called, the Commission voted 4-3 to instruct the Director to report that the issuance of an encroachment permit for vending stands, cabinets, litter receptacles, chairs, tables, a planter with canopy supports, and steel channel posts at curbside is in conformity with the Master Plan. Commissioners Farrell, Mellon, Porter and Ritchie voted "Aye"; Commissioners Fleishhacker, Newman, and Rueda voted "No".

R73.18 - SALE OF SURPLUS LAND - PORTIONS OF LOT 4, BLOCK 5843, NORTHWEST CORNER OF FOLSOM STREET AND ALEMANY BOULEVARD.

Samuel Jung, Planner IV, reported on this matter as follows:

"The westerly portion of Lot 4 was purchased by the City in order to extend Folsom Street to Alemany Boulevard. A small irregular parcel of approximately 1700 sq. ft. remains west of the right of way, with a 47 ft. frontage on Folsom and 41 ft. on Alemany. The parcel is zoned C-2.

"The parcel could be successfully combined with either of the adjoining properties, or split between the two, but is too small to develop independently. To the west on Alemany is a gasoline station-car wash. The owner is interested in purchasing the parcel, primarily in order to protect the visibility of his sign from Alemany Boulevard. He would pave and landscape the area.

"The property to the north is roughly triangular, with only 5 feet of street frontage on Folsom. It is zoned R-1. This owner is also interested in purchasing the subject parcel and would probably develop the combined site with four or five apartments, but he has also expressed interest in extending the C-2 zoning to cover the entire site. However, it is the Director's opinion that commercial zoning should not be extended northward along Folsom Street."

President Newman asked if anyone from the audience wished to speak on this matter and received a negative response.

Edward I. Murphy, Assistant Director of Planning, recommended that the sale of the subject property be approved as in conformity with the Master Plan provided that it is sold only to one of the adjoining property owners and is merged with the adjoining lot.

After discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishacker, and carried unanimously that the Director be authorized to report that the sale of a portion of Lot 4, Block 5843, as shown on SUR-573 is in conformity with the Master Plan provided that it be sold to one of the adjoining property owners and is merged with the adjoining lot.

2:00 P.M.

CU73.14 - 156-162 GUERRERO STREET, WEST LINE, 105 FEET SOUTH OF CLINTON PARK.
REQUEST FOR AUTHORIZATION FOR A PARKING LOT FOR 43-CARS TO BE USED
AS PART OF THE SERVICE OPERATION FOR S & C MOTORS, INC.: IN AN
R-4 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that the required environmental review of this matter had not been completed due to late submission of required information; and, as a result, the Commission could not legally take action on the matter during the present meeting. He therefore recommended that the matter be postponed until the Commission's meeting of July 5 at 3:00 P.M.

After discussion it was moved by Commissioner Fleishacker, seconded by Commissioner Porter, and carried unanimously that hearing of this matter be postponed until the meeting of July 5 at 3:00 p.m.

CU73.21 - 76 COOK STREET, EAST LINE, 137.5 FEET NORTH OF GEARY BOULEVARD.
REQUEST FOR A PARKING LOT FOR 5 CARS FOR CUSTOMERS AND EMPLOYEES
OF THE ABBEY CARPET COMPANY: IN AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with a 25.4 foot frontage on Cook Street and a depth of 120 feet for a total area of 3,050.4 square feet. The property, which is zoned R-2, is presently vacant. The Abbey Carpet Company, located at the northwest corner of Geary Boulevard and Cook Street, had filed the subject application to request permission to use the property as a private parking lot for its employees and customers.

Frederic Nerney, representing the applicant and the owner of the subject property, stated that the subject property is presently a rat infested vacant lot; and he indicated that his clients hoped to obtain permission to pave and landscape the lot and to use it for five off-street parking spaces to serve the Abbey Carpet Company which is located in a new building across the street. He felt that the proposed parking lot would alleviate parking congestion on both Geary Boulevard and on Cook Street. In view of the fact that a six foot high retaining wall exists at a point approximately 70% into the depth of the lot, no automobiles would be parked beyond that point.

Commissioner Farrell inquired about the number of employees and the number of off-street parking spaces which the Abbey Carpet Company has at the present time. Mr. Nerney replied that the firm has nine employees and no off-street parking spaces for cars, only for trucks.

Commissioner Farrell asked if the lot would be paved. Mr. Nerney replied in the affirmative and indicated that his clients would also be willing to beautify the lot to the extent required by the Commission.

A resident of 77 Blake Street stated that her property is located in back of the subject lot; and she asked if she would be required to pay for re-enforcement of the existing bulkhead to protect her property. Mr. Nerney replied that his clients had no intention of building a ramp to the back portion of the lot; only the front of the lot would be used for parking.

Raymond Pon, 71 Blake Street, hoped that a strong gate would be installed on the subject property. If only a chain were used to close the lot when it is not being used for parking, children would inevitably use the lot to play ball and might break windows in adjacent dwellings.

Mr. Nerney stated that his clients would be willing to fence the property if such a requirement were established by the City Planning Commission.

President Newman asked the two people who had spoken if they were in favor of or in opposition to the subject application. Both replied that they had no objection to the use but felt that a gate should be installed on the property.

The Secretary called attention to a letter which had been received from N. Arden Danekas, President of the Planning Association for the Richmond. Mr. Danekas felt that commercial uses should be strictly confined to commercial areas and that they should not infringe upon residential property. He remarked that traffic congestion is a serious problem on Cook Street, which is a dead end street. He also stated that the applicant's proposal would violate numerous policies of the Richmond District Improvement Plan, including those related to the need to enhance residential quality and to reduce dependence upon the automobile.

Mr. Steele recommended that the application be disapproved. He remarked that Cook Street north of Geary Boulevard is a pleasant and quiet residential street; and he believed that the proposed parking lot would divert commercial traffic and activity onto the street and that it would threaten the residential character of the area. He stated that the proposed parking lot could not be adequately screened; and, as a result, it would be detrimental to the residential appearance of the street. Use of the property for a parking lot would not conform to the Master Plan designation of the property for residential use; and it would not be in conformity with the expressed goal of the Master Plan to provide more housing. In conclusion, he stated that the applicant had demonstrated no public need or benefit to be derived from the proposed use.

Commissioner Ritchie remarked that the subject vacant lot is in a lamentable condition at the present time. He suspected that the cars which would be parked on the proposed parking lot are parked on Cook Street at the present time; and he noted that approval of the parking lot would enable those cars to be taken off the street, thus reducing the amount of congestion in the area. He emphasized that no residents of Cook Street had appeared in opposition to the proposal; and the residents of Blake Street who had risen to address the Commission had not objected to the application. He felt that the application should be approved.

Commissioner Fleishhacker asked if access to the proposed parking lot could be gained from Geary Boulevard rather than from Cook Street. Mr. Nerney replied in the negative, pointing out that the Abbey Carpet Company's building is located on the opposite side of Cook Street and does not lie adjacent to the subject property. He remarked that the City had issued a permit for construction of the carpet companies building, knowing that it would attract additional people and traffic to Cook Street and Geary Boulevard; and, if it were the position of the Commission that adjacent parking should not be permitted to serve the needs of the carpet company's building, then he felt that the permit for construction of that building should never had been issued. He did not believe that the Master Plan would encourage construction of commercial uses without adequate parking. He acknowledged that the street is overcrowded at the present time; and he indicated that the proposed parking lot would help to alleviate that congestion.

Mr. Steele advised the Commission that the carpet company's building had been constructed with less than 5,000 feet of floor area for the specific purpose of avoiding the parking requirements of the City Planning Code.

Commissioner Ritchie asked if the applicant would plant trees on the lot to make it more attractive if the application were to be approved. Mr. Nerney replied in the affirmative.

Commissioner Fleishhacker felt that strict conditions should be applied if the application were to be approved by the Commission. It seemed to him that there is some question about the extent to which auxillary uses, such as parking lots, should be permitted on residential properties behind Geary Boulevard; however, by the same token, he felt that it would probably be a long time before the subject property is developed with an R-2 building. Given these factors, he moved that the matter be taken under advisement until the Commission's meeting on June 14 and that the staff of the Department of City Planning be instructed to prepare a draft resolution of approval, with conditions, during the interim. The motion was seconded by Commissioner Ritchie who wished to make it clear that it was the intention of the Commission to approve the application subject to conditions at its next meeting. When the question was called, the Commission voted unanimously to take this matter under consideration until its meeting on June 14, 1973.

CU73.20 - SOUTHEAST CORNER OF STEINER AND BUSH STREETS.
R-4 TO A C-2 DISTRICT.

AND

CU73.23 - SOUTHEAST CORNER OF STEINER AND BUSH STREETS.
REQUEST FOR AUTHORIZATION TO EXPAND THE EXISTING GASOLINE STATION
INTO A COMBINED SERVICE STATION - CAR WASH; IN A C-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with a 127.5 foot frontage on Bush Street and a 137.5 foot frontage on Steiner Street for a total lot area of 17,531.25 square feet. The property is presently zoned R-4 and is located within the Western Addition Redevelopment Project Area A-2. One of the lots is occupied by a non-conforming Shell Gasoline Station with a May 12, 1990 termination date. The two remaining lots are owned by the San Francisco Redevelopment Agency. The Redevelopment Agency had requested reclassification of the entire parcel of property from R-4 to C-2 together with conditional use authorization to permit renovation and expansion of the existing gasoline station, including incorporation of a car wash into the existing operation.

Edmond Ong, representing the Redevelopment Agency, stated that approval of the application for reclassification would bring the zoning of the property into conformity with the adopted redevelopment plan. He stated that the Redevelopment Plan calls for retention of the service station operation; and he indicated that approval of the conditional use application would permit rehabilitation and expansion of the service station. In response to a question raised by President Newman, Mr. Ong stated that the owners of the service station proposed to construct a new facade and to install new landscaping and paving on the site.

Vernon Thornton, representing WAPAC, stated that he wished to appear on the record as being in support of the applicant's proposal. He remarked that all of the other service stations in the Western Addition Project Area A-2 have been discontinued or purchased by the Redevelopment Agency; and he was uncertain as to whether the Redevelopment Plan contains provisions for reconstruction of other service stations in the area. Continued operation of the subject facility would provide a service for residents of the neighborhood; and the proposed expansion of the facility would enable its operators to hire a few more people.

Sam Rail, representing the Shell Oil Company, indicated that he was present in support of the subject applications.

No one was present to speak in opposition to the applications.

Mr. Steele recommended that application ZM73.20 be approved and that application CU73.23 be approved subject to six specific conditions which were contained in a draft resolution which had been prepared by the staff of the Department of City Planning. He felt that a car wash of the size and type contemplated, and with the traffic pattern stacking space, and landscaping proposed, would provide benefits and convenience for residents of the general area.

JUNE 7, 1973

Commissioner Rueda observed that approval of the proposed reclassification would leave two lots in the subject block with R-4 zoning; and it appeared to him that those two lots would constitute a "spot zone". Mr. Steele replied that it is the policy of the Redevelopment agency not to request a change of zone until its properties have been purchased.

Commissioner Fleishhacker remarked that it would seem more reasonable to re-zone all properties within the Redevelopment Project Area in conformance with the Redevelopment Plan at one time rather than to consider the reclassifications on a piecemeal basis. Mr. Steele indicated that he agreed with Commissioner Fleishhacker's logic; however, the Redevelopment Agency's policy has been to request reclassification only after properties have been acquired. He also remarked that the Redevelopment Plan is in many cases more restrictive than zoning.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Both Mr. Ong and Mr. Rail replied in the affirmative.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7025 be adopted and that application ZM73.20 be approved. Subsequently, it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7026 be adopted and that application CU73.23 be approved subject to the conditions which had been recommended by the staff.

Commissioner Porter observed that it was unfortunate that the Redevelopment Agency had proposed C-2 zoning across the street from one of the most beautiful churches in San Francisco.

CU73.22 - 170 OTIS STREET, SOUTH OF MARKET STREET AND NORTH OF CENTRAL SKYWAY IN AN AREA GENERALLY BOUNDED BY McCOPPIN, OTIS AND DUBOCE STREETS.

REQUEST FOR AUTHORIZATION TO CONSTRUCT AN OFFICE BUILDING WHICH WOULD EXCEED THE PERMITTED BUILDING BULK LIMITS: IN A C-M DISTRICT, IN A 105E HEIGHT AND BULK DISTRICT.

Commissioner Ritchie, indicating that he was serving as real estate agent for the owners of the subject property, stated that he would abstain from participation in discussion and voting on this matter.

Robert Passmore, Planner V - (Zoning), referred to land use and zoning maps to describe the subject property which is irregularly shaped and which had a total area of 50,500 square feet. He stated that the site area includes an existing office building which will remain and a portion of Jesse Street for which a street vacation will be required. The entire parcel is in a C-M land use district and in a 105E height and bulk district. The nine story office building would remain and the proposal was to use the remainder of the site for an eight story, 1,250,000 square foot office building with cafeteria, auditorium and underground parking garage for the

Department of Social Services of the City and County of San Francisco. A public plaza would be developed between the existing office building and the proposed structure, reducing the overall site coverage from 85% to approximately 65%. Mr. Passmore stated that code provisions for the height and bulk limitation on the subject site provide for a maximum plan dimension of 110 feet and a maximum diagonal dimension of 140 feet above a height of 65 feet. The proposed building would have a diagonal dimension of approximately 185 feet, exceeding the limit by 45 feet. The plan dimension of 155 feet would exceed the limit by 45 feet, also. For those reasons, the subject application had been filed to permit the Commission to consider authorization of the exceptions in accordance with the provisions of Section 271 of the City Planning Code. Mr. Passmore stated that Section 138 of the City Planning Code requires 160 off-street spaces for the proposed office use. Of the 160 spaces required, 95 would be provided on the site in an underground parking garage; and the applicant had indicated his intention of filing for two variances to provide the remaining 65 spaces on nearby State-owned parking lots within 18 feet of the proposed structure. He stated that acquisition of the site for use by the Department of Social Services was approved by the City Planning Commission as in conformity with the Master Plan on September 25, 1970. He also stated that an environmental evaluation form had been filed for the proposed project and had been given a negative declaration on May 11, 1973.

Garro Dorian, architect for the applicant, displayed a model of the proposed development and indicated that he would be prepared to answer any questions which might be raised by members of the Commission. He hoped that the application would be approved.

President Newman asked why it was necessary to have such a bulky building on the site. Mr. Dorian replied that the problem had arisen because of the complexity and size of the site and because of program requirements and social requirements. Other sites and other designs had been considered; and but he had concluded that the proposed project would be less objectionable than the alternatives.

Commissioner Fleishhacker assumed that the bulk of the building had been dictated by the fact that the Department of Social Services had indicated a need for a certain amount of floor space. He then asked how much smaller the building would have been if it had been designed in conformance with the guidelines specified in the City Planning Code. Mr. Dorian replied that conformance with the bulk guidelines would have resulted in approximately 20% loss of floor space.

Commissioner Fleishhacker asked if the height of the proposed building would be at the maximum permitted by the City Planning Code. Mr. Dorian replied in the negative. Mr. Passmore stated that one portion of the building would take advantage of the maximum permitted height of 105 feet; however, another portion of the building would have a height of only 65 feet. Alternate designs would have resulted in more building space at a lower level, thus reducing the size of the plaza.

No one else was present to speak in support of the subject application.

A member of the audience stated that the subject neighborhood needs good buildings to improve the quality of the area. From the model which had been presented, it looked as if a "jungle" of buildings was being proposed for the subject site; and she felt that additional property should have been acquired so that a pleasant plaza could have been constructed for use by people visiting and working in the building. She stated that office buildings constructed for the City of San Francisco should be of better quality; and she felt that the proposed development would be a waste of money.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), recommended that the application be approved subject to five specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission.

President Newman asked if he were correct in understanding that the proposed project would exceed the bulk limitations of the City Planning Code by approximately 40% in both the plan dimension and the diagonal dimension. Mr. Passmore replied in the affirmative. He emphasized, however, that the design of the building would provide for a plaza at ground level; and he indicated that the Director of Planning had felt that the plaza, as well as the improved design of the building, would justify the exceptions from the bulk limits which were being requested.

Commissioner Porter asked if the proposed project was the first one to come before the Commission with a request for the variance from the bulk limits established in the City Planning Code. Mr. Passmore replied in the negative.

Commissioner Porter then asked if it was likely that the staff of the Department of City Planning would ultimately recommend modification of the bulk stipulations contained in the City Planning Code. Mr. Passmore again replied in the negative and stated that the ordinance had been written with a provision for variances through conditional use procedures because it was recognized at that time that flexibility would be desirable.

President Newman stated that it appeared to him that the proposed project would require a greater percentage variance from the bulk limitations of the City Planning Code than the variances which had previously been granted by the Commission.

Commissioner Fleishhacker asked if the proposed vacation of Jesse Street would have to be approved by both the City Planning Commission and the Board of Supervisors. Mr. Passmore replied in the affirmative. He also remarked that the proposed street vacation would not affect access to any adjacent properties; and he pointed out that the street does not carry through traffic at the present time.

Commissioner Fleishhacker remarked that it would be difficult to approve the proposed project and then to disapprove the proposed street vacation; and, therefore, he felt that the Commission, in approving the subject application, would be committing itself to approve the street vacation.

President Newman stated that he regarded the proposed plaza area as the project's "saving grace".

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7027 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

At this point in the proceedings, Commissioner Ritchie returned to his seat at the Commission table. Commissioner Mellon was temporarily absent from the meeting room.

ZM73.13 - REAR OF 151 RIPLEY STREET, LOCATED 100 FEET NORTH OF RIPLEY STREET AND 60 FEET WEST OF HARRISON STREET.
R-1 TO AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of the rear portion of Lot 4 in Assessor's Block 5543. The property is located 100 feet north of Ripley Street and 60 feet west of Harrison Street and abuts the rear portion of lot no. 6, which is 151 Ripley Street. The property measures 50 feet by 50 feet for a total area of 2500 square feet. It is zoned R-1 and is vacant. The applicant had requested reclassification of the rear portion of lot no. 4 from R-1 to R-3 in order to construct an 8-unit apartment building on Lots 4 and 6. He stated that a negative environmental impact declaration had been filed for the proposed reclassification and had not been appealed.

Gloria Diana Ramos, the applicant, reminded the Commission that she had previously described her plans for use of the site when she had appeared to appeal the staff's initial decision to require the filing of an environmental impact report. She described a site plan of the two adjoining properties and indicated that she wished to construct an 8-unit building covering portions of both lots. She indicated that six units would be constructed on the lot which is presently zoned R-3; and two units would be constructed on the property which was the subject of the request for reclassification from R-1 to R-3. If the application for reclassification were approved, she would still have to obtain a variance from the Zoning Administrator to permit construction of the proposed building because it would be located in what is technically designated as a rear-yard area. She stated that six off-street parking spaces would be provided with an access from Ripley Street; and the two remaining off-street parking spaces would have access from Harrison Street when such access becomes feasible. In conclusion, she stated that she wished to assure her neighbors by any legal means possible that the height of the building would not extend more than one half of the way to the level of their deck.

No one else was present to speak in favor of the application.

Elizabeth Egger, 79 Waltham Street, submitted a petition which had been signed by approximately 80 residents and homeowners in the neighborhood. The petition read as follows:

"We, the neighbors on Ripley Street and the area adjacent, request that no variance be granted on the R-1 property. We do not want it rezoned for use in an R-3 structure of this size, for these reasons:

- "1. The multiple dwelling units will be sandwiched in between two one-story homes and will be out of character with the rest of the neighborhood.
- "2. Ripley Street is the #23 bus route and must remain open for through traffic. It already is a congested street with parked cars. Added traffic coming from these 8 units will greatly increase the existing congestion.
- "3. In Bernal Heights we need more single-family homes, not structures for transients - too many already have been allowed.
- "4. We now have one large multiple dwelling structure on Ripley Street and it has added nothing desirable. All the garaging for these units is on Ripley Street, there is no provision for landscaping - all space is taken over by utility requirements. Buildings of this type are permitted to be built and we have to live with the bad results.
- "5. Many of us have fought this same battle before, once in 1961 and again in 1968, at which time the City Planning Commission recommended to the Board of Supervisors that no further rezoning of our area be allowed.
- "6. There is extensive home remodeling going on in Bernal Heights to maintain the family character of the neighborhood. Let single-family homes be built on the few remaining empty lots, let them come in naturally in their own time. We don't want the northside of Bernal Heights to look like the rape of Twin Peaks."

Commissioner Fleishhacker stated that the signers of the petition seemed to be opposed to the construction of new apartment buildings on Ripley Street. Yet, since the zoning along Ripley Street is R-3, new apartment buildings could be constructed regardless of the Commission's decision on the subject application.

At this point in the proceedings, Commissioner Mellon returned to the meeting room and reassumed his seat at the Commission table.

Commissioner Rueda remarked that the applicant had stated that she wished to build only eight units on the property; and he asked if that would be the maximum permitted if the requested zone change were to be approved. Mr. Steele replied that the rezoning would permit a total of nine dwelling units to be constructed on the property.

President Newman stated that a telephone call had been received from Miss Betty Guy, 147 Ripley Street, expressing her support of the subject application.

Hazel Nelson, 1750 Alabama Street, stated that she was opposed to the subject application.

President Newman called for a show of hands of people present in the audience in opposition to the application. Approximately ten people responded.

Jerry Schimmel, President of the Bernal Heights Association, stated that his organization had traditionally been opposed to spot rezoning; and, as a result, they were opposed to the subject application on principle. He remarked that portions of Bernal Heights, like other neighborhoods of the City, seem to be overzoned, probably for the purpose of encouraging property speculation; and he felt that the present residents of such areas are the ones who will suffer if those properties are developed. He stated that his organization intended to give further consideration to zoning issues in the coming months; and he felt that it was possible that they might come before the Commission with a request for "down zoning" parts of the neighborhood.

Mr. Steele recommended that the application be disapproved. He stated that the land use section of the Master Plan designates the subject property for low density use; and, as a result, the proposed reclassification would be in conflict with the Master Plan. He stated that Ripley Street is a bus route and has a width of only thirty feet. It is already impacted with traffic; and he believed that approval of the requested increase in density would increase the congestion on the street. He remarked that no public need or benefit had been demonstrated by the applicant; and in fact, major opposition had been registered by residents of the neighborhood.

Miss Ramos stated that she would still be permitted to construct eight units if all her property were zoned R-2 and if it were divided into four lots; and she indicated that the only purpose of the subject application was to permit her to concentrate the units on a particular portion of the property in order to avoid more difficult contours.

Commissioner Fleishhacker asked the applicant if she owns the subject property. Miss Ramos replied in the affirmative.

Commissioner Fleishhacker then inquired about what could be built on the property if the request for reclassification were to be denied. Miss Ramos replied that she could build three residential floors above garage on the Ripley Street frontage of the property and an additional two units on the Harrison Street property

whenever that street is improved. She emphasized, however, that the building which she wished to construct would consist of only two residential floors above parking; and she indicated that any building constructed on the Harrison Street property would obstruct views from property owned by her neighbors.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7028 be adopted and that the subject application be disapproved.

At this point in the proceedings, Commissioner Ritchie absented himself from the meeting room for the remainder of the meeting.

ZM73.17 - WEST SIDE OF INTERSECTION OF QUESADA AVENUE AND NEWHALL STREET,
SOUTH OF 1540 NEWHALL STREET.
R-1 TO AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of two lots. He stated that each of the lots has an area of 3,046.05 square feet with a 35-foot frontage on Newhall Street. Both are vacant. He indicated that the applicant had requested that the properties be reclassified from R-1 to R-2 to permit the construction of one two-family dwelling on each lot.

Leroy Sharman, the applicant, stated that other lots fronting on Newhall Street in the subject block are zoned R-2; and he indicated that he wished to have his property zoned R-2, also, so that he could construct two two-family dwellings for income purposes.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that the application be approved. He remarked that the subject property lies adjacent to R-2 zoned property; and he felt that approval of the reclassification request would result in a logical extension of the R-2 district. He indicated that the applicant had stated that he would provide family housing on the site; and he pointed out that the housing element of the Master Plan encourages development of family housing.

Commissioner Fleishhacker asked if approval of the subject application would leave any properties on the north side of Newhall Street in the subject block zoned R-1. Mr. Steele replied that the corner property would retain its R-1 zoning; however, that property is already developed and is also well separated by topography.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7029 be adopted and that the subject application be approved.

ZM73.21 - 2000-2048 AND 2021-2039 BAKER STREET AND 3020-3110 CLAY STREET
R-3 TO AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject properties which are located in two adjacent blocks and which front on both sides of Baker Street and on the north side of Clay Street. Of the 18 lots included in the application, 11 lots are developed with single-family residences, three are developed with duplexes, three are developed with multi-family structures, one is developed with three units, one is developed with five units, one is developed with six units, and one is vacant. He stated that the application had been filed by the owners of some of the subject properties; and they had requested that the properties be reclassified from R-3 to R-2. In conclusion, he stated that requests for reduction of zoning density, as in the present case, are categorically exempt from environmental impact review. Robert Meredith, attorney for Mr. Simpson, owner of one of the subject parcels of property, requested that hearing of this matter be postponed. He stated that his client is in Europe and is not expected to return until June 21; and, although he had made an attempt to contact him in Europe, he had been unsuccessful. Therefore, he had no way of knowing what position he would take with regard to the application. However, since his client's property is the only vacant parcel of property which had been included in the application, he assumed that his client would be more affected by the proposed reclassification than the owners of the other properties. In conclusion, he stated that a certified letter had been mailed to Mr. Steele to request formally that the postponement be granted.

Robert McGrath, one of the applicants, stated that he had spoken with Mr. Simpson before he left for Europe and had been advised that the house which had previously occupied the vacant property had been torn down because Mr. Simpson was opposed to having it occupied by a large number of people.

Commissioner Fleishhacker inquired about the size of the vacant parcel of property. Mr. Steele replied that the property has frontages of 105 feet on Baker Street and 31 feet on Clay Street. Under R-3 zoning, four dwelling units could be constructed on the site. If the property were to be rezoned to R-2, only two units would be permitted.

President Newman noted that there were a large number of people present in the audience; and since it might work a hardship on them to postpone the hearing, he suggested that the Commission should proceed with the hearing and that it should take the matter under advisement upon conclusion of the hearing.

Commissioner Porter stated that she would be willing to hear from individuals who were present who wished to speak; however, she stated that she had never known the Commission to refuse a request for postponement under such circumstances.

Commissioner Rueda stated that he agreed with the comments which had been made by Commissioner Porter.

George Link, one of the applicants, urged the Commission to proceed with the hearing as scheduled. He assumed that the absent property owner had been given proper notice of the hearing; and, if the gentleman had something to say, he felt that he could have said it through his representative. He stated that Mr. Simpson had left his property in bad repair for eight years; and he did not feel that the machinery of government should stop merely because Mr. Simpson was absent from the country.

Commissioner Porter pointed out that no permits can be issued for R-3 construction on the vacant parcel of property until final action has been taken on the subject application by the Commission; and, under the circumstances, she wondered why Mr. Link objected to the request for continuance. She felt that he would be much happier with the final outcome if the continuance were to be granted.

Commissioner Fleishhacker suggested that the Commission should proceed to receive testimony from people who were present in the audience and that it should then take the matter under advisement until such time as Mr. Simpson returns from Europe.

Mr. Link, appearing on behalf of the applicants, read and submitted the following prepared statement:

"With only two exceptions, the buildings which we are seeking to have reclassified are already effectively R-2 structures.

"-All of the affected structures on Clay Street east of the Clay-Baker intersection are single family dwellings.

"-All of the affected structures on the west side of Baker Street are one or two family dwellings.

"-Excepting one, all of the affected structures on the east side of Baker are one or two family dwellings.

"-Thus, what we are asking is to simply maintain the existing character of the neighborhood - to protect the family-oriented neighborhood from large commercial housing developments.

"For those of you who are familiar with the area, you are aware that parking on the street is already impossible. If large commercial developments are allowed, the parking congestion would further impair the convenience and general welfare of the neighborhood and surrounding areas. This is true, even though any such new developments would require parking space in accordance with the Planning Code.

"The other key aspect of this rezoning would be to preserve a unique architectural heritage which would insure to the general welfare of our entire city. Most of the affected homes are distinctive Victorian and Edwardian structures which predate the Earthquake. We have for your review an album containing photographs of but some of the homes. A picture of my own home recently appeared on the cover of the Stanford Research Institute magazine as a classic exemplar of Victorian architecture. Many of the homes are listed in Here Today, a well-known work depicting San Francisco's finest architectural heritage. The home owners have in recent years engaged in repainting and restoration of their own homes. Most of us joined together to plant trees in the sidewalks. It is effectively an R-2 neighborhood now. We simply ask that you recognize this de facto status, reclassify the neighborhood to R-2, and effectively eliminate the threat of large commercial developments.

"By doing so, you would not only effectuate the desires of the applicants in this instance, but also the general public.

"One final comment. I am a member of a San Francisco law firm consisting of some 84 lawyers. Fifty-five of my colleagues live outside San Francisco - in Marin, the East Bay or down the Peninsula. Twenty-nine of us live in the City, and most of the twenty-nine, myself excluded, are young lawyers who are either unmarried or have not yet started raising a family. I want to continue to reside in this City and I prefer that my professional colleagues do likewise. But for young families to remain in this City, there must be quiet family-oriented neighborhoods free from large commercial developments and parking congestion.

"Reclassifying our little neighborhood would be a step in this direction."

Commissioner Fleishhacker asked Mr. Link if he, as an attorney, felt that it would be possible for the owners of the subject properties to put a restriction in their deeds specifying that the properties could not be developed higher than an R-2 density if they were to be sold. If that approach were to be taken, even the City Planning Commission could not authorize higher density development of the properties. Mr. Link replied that he could not give an immediate response to Commissioner Fleishhacker's question; however, he indicated that he would research the matter.

Margaret Gorden, 2038 Baker Street and one of the applicants, stated that her husband is a physician and is often called on to respond to emergencies. In the past, they had had little occasion to contact the Police Department, however, since moving to the subject neighborhood, they had had to call the Police Department from two to five times a week because of cars parked illegally in their driveway. She stated that most of the buildings in the area have no garages; and, because of high rental rates, single dwelling units are often occupied by three or four people. She

felt that construction of multiple dwellings in the area would exacerbate the situation; and, in addition, multiple dwellings would bring transients into the neighborhood instead of families.

George Cunningham, 3008 Sacramento Street, stated that he was generally in favor of the proposed reclassification; however, he wondered if it would be in the best interests of the City to rezone such a small area with arbitrary boundaries.

Mr. Steele stated that the boundaries under consideration were those which had been submitted by the applicants.

Stewart McDill, 3026 Clay Street and one of the applicants, stated that most of the buildings in the area are older structures which would burn quickly; and he indicated that he was opposed to construction of apartment houses in the area because apartment buildings generate a greater instance of fires. He stated that he, also, had had to call the police on a number of occasions because of cars parked illegally in his driveway.

Else Welke, 2039 Baker Street and one of the applicants, stated that her husband is a surgeon; and she confirmed that illegal parking in driveways makes it difficult for professional people on call. She stated that she had been glad to see younger families move into the neighborhood, putting money and effort into the remodeling of older single-family homes; and she indicated that she objected to new apartment buildings which had been built nearby, most of which generate as many as four cars per dwelling unit.

Michael Taylor, 3022 Clay Street, stated that Mr. Simpson, the owner of the vacant parcel of property, was the only property owner in the neighborhood who had not participated in the project to plant street trees on the block. Furthermore, he had left the house which had previously occupied the property vacant for eight years. In view of the fact that Mr. Simpson had given the neighborhood no consideration, she did not understand why a postponement should be granted in his behalf.

Joan Hughes, 2025 Baker Street, stated that Mr. Simpson had contributed nothing while the rest of the property owners in the area had worked to upgrade the neighborhood.

William Hughes, 2025 Baker Street, noted that no one had been able to contact Mr. Simpson to determine his feelings with regards to the subject applications. Yet, even if one were to assume he were violently opposed to the application, the fact of matter was that the owners of 14 of the 18 properties affected by the application had signed a petition supporting the reclassification for the purpose of preserving the character of the neighborhood as a desirable place for young families. While Mr. Simpson might be on vacation at the present time, families interested in the application might be out of town enjoying their own vacations when he returns; and, under the circumstances, he did not feel that it would be fair for the Commission to postpone action on the application.

Commissioner Fleishhacker pointed out that individuals who had already presented their testimony to the Commission would not have to return when the matter is returned to the Commission's calendar. Mr. Hughes stated that he wished to come to the next hearing; however, he did not know if his schedule would fit in with Mr. Simpson's.

Mr. Stelling, son of the owner of property located at 2012 Baker Street, stated that he was opposed to the requested reclassification. He indicated that he had heard no substantial justification for the proposed change. Certain annoyances, such as fires and parking problems had been mentioned; however, it did not seem to him that such concerns could justify the taking of vested property rights. No equitable social or moral reason for the change had been offered; and, as a result, he felt that the application should be denied.

Commissioner Porter asked if the property at 2012 Baker Street is occupied by a multiple unit building. Mr. Stelling replied in the affirmative.

Commissioner Porter then pointed out that the building could be replaced even if the building were to be rezoned to R-2 if it were to be destroyed by a natural disaster. Mr. Stelling stated that he was aware of that fact. However, he believed that the proposed "down zoning" would affect the value of the property; and he indicated that he was concerned about the future resale value of the property.

Nancy McGrath, 3090 Clay Street, advised the Commission that the Stellings, also, are absentee owners; and she indicated that their property has not been well maintained. A fire had broken out in their building last summer; and she had had to clean up the broken glass from her rear yard by herself.

Commissioner Porter asked Mrs. McGrath if she has a garage. Mrs. McGrath replied in the affirmative but indicated that her driveway is frequently blocked.

Robert McGrath stated that the building which had occupied Mr. Simpson's property had been a beautiful single-family residence. Mr. Simpson had demolished it because he did not want it to become like Mr. Stelling's building had been under a previous owner. He stated that all of the applicants felt that they should not be required to come back to the Commission for another hearing and were of the opinion that the matter should be resolved during the present meeting.

Mr. Meredith repeated that he had made efforts to locate Mr. Simpson in Europe after he had learned of the hearing which had been scheduled by the Commission; and if he had been able to make contact, he would have been able to represent his client properly before the Commission. However, he had not been able to contact Mr. Simpson; and, in view of the fact that Mr. Simpson's property is the only unimproved lot affected by the application, he felt that a decision should be postponed until Mr. Simpson is available for comment.

President Newman asked where Mr. Simpson's notice of the public hearing had been sent. Mr. Steele replied that the notice had been sent to the corner parcel of property which is presently vacant because the City's tax records had indicated that to be Mr. Simpson's address.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Mellon that this matter be taken under advisement until the Commission's meeting on July 5, 1973.

Commissioner Farrell noted that the owners of two of the parcels of property affected by the subject application had given no indication as to whether they were in favor of or in opposition to the proposal; and he suggested that they should be sent a notice advising them of the July 5 hearing.

When the question was called, the Commission voted 5 - 1 to take this matter under advisement until its meeting on July 5, 1973, at 3:00 p.m. Commissioners Farrell, Fleishhacker, Mellon, Porter, and Rueda voted "Aye"; Commissioner Newman voted "No."

At this point in the proceedings, Commissioner Mellon absented himself from the meeting room for the remainder of the meeting.

ZM73.18 - TOP OF KITE HILL IN THE EUREKA VALLEY NEIGHBORHOOD AT THE NORTH
END OF CORWIN STREET AND ON THE EAST END OF GRAND VIEW TERRACE.
R-3 TO AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of seven lots with a total area of 48,756.7 square feet. He stated that six of the lots are vacant and the remaining lot contains a residence. The application had been filed by several owners of property in the neighborhood who were requesting that the subject property be rezoned from R-3 to R-1. Since the request involved reduction of zoning density, it was categorically exempt from environmental impact requirements.

Kirby Ortiz De Montellano, owner of property at 16 Short Street and one of the applicants, stated that the subject properties and other properties in the vicinity had been zoned Second Residential prior to adoption of the 1960 zoning ordinance, at which time they were included in the R-3 zone. Since that time, a number of apartment houses have been built in the area; and, as the impact of the apartment buildings began to be felt in the neighborhood, an application was filed for reclassification of properties in the area, including those which were presently under consideration, from R-3 to R-2. That application was disapproved by the City Planning Commission. During the interim, apartment house construction had continued, particularly on Corwin Street; and she pointed out that the only access to Corwin Street

is by way of Douglass Street which has only one moving lane available for two-way traffic. Residents of the area had continued to be concerned about the density of their neighborhood, particularly in view of the fact that development of vacant parcels of property to R-3 standards which double the present density of the area. She indicated that she had circulated petitions throughout the area, soliciting signatures in support of the subject application; and she displayed a map which showed the location of properties owned by individuals who had signed the petitions. She felt that the map reflected the overwhelming support of the neighborhood for the reclassification proposal; and she hoped that the Commission would give consideration to that fact during its deliberations.

Bert Schwarzschild, 363 Douglass Street, indicated that he, also, was one of the applicants. He remarked that the problem had been brought before the Commission in 1966. The request made by the neighborhood at that time had been turned down by the Commission; but the problem had not gone away. In fact, the problem had become more acute. He noted that residents of the neighborhood had succeeded in obtaining a mini-park on Seward Street; and he advised the Commission that an article to be carried in next Sunday's newspaper about the Seward Street park would also remark on the fact that open space on Kite Hill, the subject of the present application, is privately owned and is subject to development.

President Newman asked if the application which had been filed in 1966 was identical to the present application. Mr. Schwarzschild replied in the negative, indicating that the previous application had covered a larger area.

Commissioner Fleishhacker observed that the previous application had requested reclassification from R-3 to R-2 rather than to R-1 as in the present instance. Commissioner Rueda stated that he had noticed that there is a great deal of brush on the vacant properties in the neighborhood; and he asked if the area experiences occasional fire problems. Mr. Schwarzschild replied in the affirmative.

Commissioner Rueda then asked how fire trucks gain access to the area. Mr. Schwarzschild replied that access is very difficult, particularly for ladder trucks. He stated that the neighborhood had challenged a ladder truck to maneuver the turn on Douglass Street in 1966; and the ladder truck had failed.

Dorice Murphy, owner of property at 175 Yukon Street, and one of the applicants read and submitted the following prepared statement.

"Zoning codes are a strong force in determining the shape and the structure of our neighborhood. When they are off kilter, such as R-3 for Kite Hill our entire neighborhood will see its beauty and potential completely destroyed. Should it become over developed as is now proposed would be criminal. Over the years we in this community have voiced our opinion on good zoning and we have worked hard to help shape and support our present code with the preservation of our community the ultimate goal.

To these hard fought for codes we are asking for relief from the threat facing our neighborhood and to plead for the beautiful land area Kite Hill soon to be overdeveloped and abolished soon if we don't have your help.

"We must remember that yesterday's rules may not be applicable to today's needs. It is all too apparent we must have the re-zoning of Kite Hill if our district is to survive as a community. As family type units are discouraged and the neighborhood structure is changed, middle-income families with children will pack their bags and move elsewhere. The following census tract figures for our district will bear this out to be a fact:

"Single person household in 1960 was 23.6 today a whopping 37.7
Number of persons per household in 1960 was 2.6 today a low 1.9
Unrelated persons in a household has jumped from 368 in 60 to 860 today. And most appalling of all within our district....Married couples with children under 18 has dropped from 500 in 1960 to an incredible 290 today.

"We are quickly becoming a childless community. In addition, we are losing the most productive part of our labor force and our biggest market for consumer goods.

"The steady tax-paying homeowner is abandoning our district, we are constantly being assaulted by Mini-Pentagon constructions, lacking in taste that reflects no concern for the character of our neighborhood. Everyone appears to be voicing an awareness. Economists feel a neighborhood cannot survive without a functioning middle class. Politicians have decried the exodus and made fine speeches about how something must be done to make our neighborhoods attractive to the fleeing family people. We are here to ask you to do just that....to help our neighborhood remain just what it truly is a NEIGHBORHOOD, with all that the word entails.

"By granting this down zoning request you will be helping to put a stop to the Urban Exodus of families from our neighborhood and you will help prevent the destruction of another community."

Paul Ortiz De Montellano, 16 Short Street, felt that the requested rezoning would not result in a severe loss of value; and, to illustrate his point, he displayed a chart which showed the assessed and cash value of lots in the area and the probable cost of construction per unit under R-3 and R-1 zoning. He also stated that people have to assume that new development will take place in accordance with zoning. If the entire neighborhood had been zoned R-2, R-1 zoning for the subject properties would probably not have been necessary. However, since the rest of the area is zoned R-3, and since development has taken place accordingly, a

need has arisen to compensate for the high density development which has taken place. Therefore, in filing the subject application, the applicants had requested that the property be rezoned to R-1 rather than R-2. He remarked that zoning laws are designed to protect citizens and not investors or speculators; and he emphasized that residents of the area had given overwhelming support to the subject application.

Sue Hestor, 4536 - 20th Street and Vice-President of the Eureka Valley Promotion Association, stated that she is a renter. She indicated that access routes to the subject neighborhood are limited; and she remarked that it is really difficult to get around the area. She stated that she had gone around the neighborhood with a petition which addressed itself to the issue of traffic; and she indicated that she had met a number of older people, particularly on Douglas~~s~~ Street, who were literally afraid of the traffic situation in the area. According to modern standards of road construction, Douglas~~s~~ Street should have a width of 34 feet; yet, its actual width is only 19 3/4 feet. Under the circumstances, she felt that it would be insane to think of putting more cars into the area. If the subject properties were to be developed to R-3 standards, such development would generate approximately 360 more vehicle trips per day, 75 of which would take place during rush hours. She did not believe that the neighborhood could absorb the additional traffic and felt that it would become like Telegraph Hill, where motorists actually have fights over the right-of-way. She stated that the neighborhood has no bus service; and, as a result, it was inevitable that new people moving into the area would have automobiles. She also remarked that the Fire Department has difficulty getting into the area under present circumstances. She stated that her immediate neighborhood is still family-oriented; however, properties up the hill where the subject properties up the hill where the subject properties are located have more transients living in three-room apartments.

Commissioner Fleishhacker asked Miss Hestor if she felt that the subject neighborhood is a good area in which to live at the present time. Miss Hestor replied that the neighborhood is a good one in which to live except for burglars, parking, and traffic.

John Cornfeld, 18 Grand View Terrace, stated that he is in the real estate business and indicated that he believes in property values as well as in family values. He stated that the subject neighborhood does have serious parking problems. While the City Planning Code requires one parking space for each dwelling unit, apartments are usually occupied by two adult people, both of whom have automobiles. However, since all cities have parking problems, he did not intend to prolong his discussion of that problem. He remarked that the issue of density in the subject neighborhood had been before the Commission on many occasions during the past ten years; and he felt that the previous discussions must have had some impact on the Commission. During the same period of time, a number of new structures had been built in the area; and he observed that one can put only so much champagne into a champagne bottle. If the area is further congested, it will be impossible for fire

trucks to get into the area; and he pointed out that it is the responsibility of the City to provide tax paying citizens in the neighborhood with fire protection. Until such time as the City assists the neighborhood in resolving its access problems, he felt that zoning in the area should be reduced to R-1 or "R-0."

Mrs. Strait, 204 Grandview Avenue, stated that she had supported the request for rezoning which had been made in 1966; and, if that application had not been disapproved by the Commission, the neighborhood would now be different than it is at present. She hoped that the application now under consideration would be approved.

Dan Smith, 135 Yukon Street, stated that he had moved from Kansas to New York and then to San Francisco. He indicated that he has a view of Kite Hill from his window; and he remarked that he would be very disturbed if that beautiful area were to be developed with big buildings.

Eleanor Peterson, owner of an apartment building at 180 Corwin Street, stated that it is impossible for fire trucks to gain access to the area.

Assistant Fire Chief Gautier stated that he had been asked by Miss Hestor to come to the meeting. He stated that the issue of access for Fire Department vehicles had arisen before; and he indicated that a test had been made three years ago to see if it was, in fact, possible for fire trucks to get into the area. It was found that it is difficult to get into the area if no automobiles are parked near the intersection of Douglas and Corwin Streets; however, if automobiles are illegally parked in that area, access for Fire Department vehicles is impossible. In addition to the problem of access, it is not possible for Fire Department vehicles to pass each other on the narrow streets in the area. Water pressure causes another problem. Whereas insurance services require a delivery of 2500 to 3000 gallons per minute, it is possible to get only about 1000 gallons per minute in the subject neighborhood. In conclusion, he stated that the situation on Grand View Terrace is better in all respects; and, if it were possible to start over again, he would recommend that Corwin Street and Grand View Terrace be connected.

Commissioner Rueda asked if anything could be done about the brush on the vacant property in the area before children start playing with matches. Chief Gautier stated that the Fire Department could undertake controlled burning at the request of property owners in the area.

Commissioner Porter stated that it sounded to her as if the neighborhood is faced with a hazardous fire situation regardless whether the subject properties are developed to R-3 or R-1 standards.

Chief Gautier stated that it would be difficult to say whether R-1 development would be less of a hazard than R-3 development; however, he observed that chances for a fire would be greater if more people were living in the area. The real crux of the matter concerned the ability of the Fire Department to get into the area; and,

in that regard, he pointed out that only one off-street parking space is provided for each unit in apartment buildings whereas the people living in the units often have more than one car. Under those circumstances, the additional automobile is usually parked on the street. The problem is compounded by guests who often ignore parking regulations.

Commissioner Farrell observed that Chief Gautier had stated that it is possible for fire trucks to get around the corner of Douglass and Corwin Streets if no cars are parked illegally in that area; and he observed that illegally parked cars must pose problems for the Fire Department all over town.

Chief Gautier confirmed that that was the case; and he indicated that the Fire Department is in favor of wider streets throughout the city.

President Newman asked individuals who were present in the audience in support of the subject application to stand. Almost everyone in the room responded.

Arthur Zanello, a real estate broker with offices on Market Street, remarked that the argument had been presented that the subject area is a family-oriented neighborhood; yet, recent census figures had indicated that each household in the area contains only 1.8 persons. He stated that one 12-unit building already exists on Corwin Street; and Seward Street has two three-unit buildings and one two-unit building. Under the circumstances, he did not think that it could be claimed that the area has an over-abundance of apartment buildings. He believed that the subject property should be developed in a manner which would blend into the characteristics of the area. R-1 zoning, as requested by the applicants, would constitute "spot zoning"; and it would cut off the usefulness of a highly sought-after area. Magnificent views are available from the subject property; yet, if the property were zoned R-1, few people could afford to live there. As a result, the property would be unusable. In his opinion, the subject property lends itself to development with townhouses and condominium apartment units; and he remarked that such development would encourage families, as well as people without children, to move into the area.

William Blackwell, architect for Mr. Zanello, displayed plans and a model of a project which had been proposed for the major portion of the subject property. He stated that months had been spent in preparation of plans for the proposed development before the subject application had been filed; and he felt that the Commission would be interested in seeing the type of development which might take place if the property were to retain its R-3 zoning. Describing the plans, he pointed out that portions of Mr. Zanello's property which are zoned R-2 would be developed with townhouses which would have family characteristics; and the remainder of the site, which is zoned R-3, would be developed with a condominium apartment building which would have only 30 units instead of the 44 units permitted by the R-3 zoning. He had also designed three alternatives for access to the project; but he felt that one of the routes would be preferable to the others. He stated that he did not feel that the present traffic situation in the area is good; however, he believed that it

could be improved. He remarked that the Building Code is explicit about fire and safety hazards; and he indicated that the proposed project would comply in all respects with that code. He did not agree with the applicants that the subject neighborhood is family-oriented. However, he emphasized that the project which his client was proposing would accommodate both families and apartment dwellers. However, since the apartments would be sold on a condominium basis, they would not attract transients. He acknowledged that the proposed development would be somewhat out of scale with other buildings in the area; however, he felt that there would be one or more ways to blend the project into the area effectively. He stated that the proposed project would conform with the Urban Design Plan and that it would have generous planting. If the R-3 portion of the site were rezoned to R-1, and if a project had to be designed under R-1 and R-2 zoning, both the overall land coverage and the impact on the neighborhood would be greater. In view of these considerations, he hoped that the existing zoning pattern would be retained.

President Newman asked how many dwelling units could be constructed on the subject property if it were to be rezoned to R-1. Mr. Blackwell replied that 12 dwelling units could be constructed. If an additional street were created, however, only eight dwelling units could be constructed.

Robert Beery, 4443 - 17th Street, stated that he owns four lots which had been included within the subject application; and he indicated that he had submitted a letter to members of the Commission in opposition to the proposal. He felt that the applicants had used a "scatter gun" approach; and it appeared that they had assumed that all of the properties which they had included in the application were subject to the same sort of development. He advised the Commission that he had been granted a permit last year for construction of an apartment building on some of his vacant properties; however, because of financing problems and the advent of the rainy season, that permit had expired. He indicated that he had another application on file for a seven-unit apartment building; however, that application had been held up pending a decision on the subject application. If the building is constructed, his family will occupy one of the units; and the remainder of the units would be sold as condominiums. He stated that the development which he proposed would be consistent with and identical to development which currently exists on Grand View Terrace; and he noted that Assistant Fire Chief Gautier had stated that access for fire equipment to properties on Grand View Terrace is adequate. In filing the application, the applicants had stated that Corwin Street provides the only access to the subject property; and that statement was not true because his property also has access from Grand View Terrace. He remarked that the applicants had stated no public necessity for the requested change of zone, they had only alleged that the rezoning would serve the public convenience. It was apparent that they would like to have the property dedicated as a public park; and he noted that the City Planning Commission had adopted a plan which had given high priority to purchase of the property for park use. However, if the land were acquired for public use, extensive taxes would be lost; and, in any case, the matter before the Commission for consideration did not involve acquisition of the property. He stated that he was not against

having the property turned into a park; however, he was opposed to having his property rights taken away. He also advised the Commission that the applicants had submitted their proposal to the Eureka Valley Promotion Association for support; but support was denied on the basis that the members of that organization did not have sufficient information about the true facts of the matter. With regard to the map which had been submitted by the applicant showing the location of properties owned by people who had signed a petition in support of the application, he remarked that the individuals who had been approached were probably uninformed; and, in any case, there was no way to know what representations had been made to them by the applicants. He felt that zoning decisions should be made by professionals and not by ad hoc committees; and he remarked that the tenor of the application made it sound as if the whole City should be zoned R-1 and that tenants are not good citizens. He stated that none of the property owned by proponents of the application has zoning more restrictive than R-2; and he felt that none of them would be directly or indirectly affected by the zoning of his property because his property is serviced by Grand View Terrace. It seemed to him that what the applicants really wanted was to stall development until such time as the Board of Supervisors appropriates money for purchase of the subject property for park purposes; and he did not feel that the Commission should be used as an agent of inverse condemnation when the City already has the power of eminent domain. He urged that the application be disapproved.

A representative of the estate of A. A. Tiscornia, former owner of the major portion of the subject property, stated that taxes had been paid on the property on the basis of its R-3 zoning; and she indicated that the estate had agreed to sell the property to Mr. Zanella's client subject to certain options. She remarked that Corwin Street does not serve as the main access to the property; and, in any case, access routes can be improved. She requested that the application be denied.

Mrs. Robert Beery stated that she agreed with the statement which had been made by her husband; however, she wished to emphasize that they would suffer a rather severe hardship if their property were to be rezoned. She stated that they had planned the construction of their new building for a number of years; and she felt that it would be an attractive addition to the neighborhood. After reading the application, and after hearing statements which had been made during the course of the present hearing, she felt that no one really wants R-1 zoning rather than R-3 zoning; what they really wanted was for the property to remain just as it is--a beautiful open area. However, if the property were to remain as open space, she felt that it should be acquired publicly.

Mr. Schwarzschild stated that he wished to clarify and correct a statement which had been made by Mr. Beery. He acknowledged that the application had been taken to the Eureka Valley Promotion Association for endorsement; however, no action had been taken by that organization because the matter was not reached until a late hour when many people had already departed. In the past, the association had voted unanimously to support requests for "down-zoning" in the neighborhood. Mr. Beery had also stated that the applicants would not be affected by the zoning of his property; however, it was his opinion that residents of the area would be affected by any increase in density.

Mr. Steele stated that it was his opinion that the subject neighborhood has been developed almost to its full capacity, given such factors as its topography, its street layout, and the parking congestion which already exists. Chief Gautier had stated that access for fire equipment is better on Grand View Terrace than on Corwin Street; but even the situation on Grand View Terrace is not good. Under the circumstances, and unless substantial improvement were to be made in access routes to the area, he believed that the least intense development possible would be desirable. He, also, felt that it would be nice to retain the subject property as permanent space; however, if the City has no money available for purchase of the land, private development can be anticipated. If the property were to be rezoned R-1, it would be surrounded by property with less restrictive zoning; and, under the provisions of Section 304(a) of the City Planning Code, the owners of the property could apply for planned unit development authorization which would provide them with an opportunity to exceed R-1 density standards subject to specific conditions which could be established by the Commission. In establishing those conditions, the Commission could require improvements in the circulation pattern of the area or could stipulate that the developers should provide more family housing. He recommended that the request for reclassification of the property to R-1 be approved; and he distributed a copy of a draft resolution of approval which he had prepared for consideration by the Commission.

Commissioner Rueda stated that he was usually inclined to leave zoning alone and to let economics determine the nature of development; however, because of the topography and the street patterns in the subject neighborhood, he felt that the public interest would be served by reclassification of the property to R-1.

President Newman asked how much additional density might be permitted through planned unit development authorization. Mr. Steele replied that the City Planning Code establishes no limit; however, in practice, the Commission had usually not gone beyond the next highest density.

Commissioner Fleishhacker asked if the property owned by Mr. and Mrs. Beery is sufficiently large to qualify for planned unit development authorization. Mr. Steele replied in the negative and indicated that they would have to coordinate their plans with those of the owner of the larger parcel of property.

Commissioner Porter assumed that the granting of a planned unit development authorization would depend upon the nature of the ingress and egress routes proposed. Mr. Steele confirmed that those factors would be an important consideration of the staff of the Department of City Planning.

After further discussion it was moved by Commissioner Rueda and seconded by Commissioner Porter that the application be approved.

Commissioner Fleishhacker stated that he would not vote for the motion. He agreed that the subject property would be difficult to develop; and he felt that the neighborhood should have better streets. However, he pointed out that Mr. and Mrs. Beery wished to construct a seven-unit apartment house on property which has access from two developed and one undeveloped streets; and he felt that their situation was much different than that of the larger parcel of property which has more difficult access problems. He then asked about the maximum number of units which could be constructed on the Beery property under its present R-3 zoning. Mr. Steele replied that 14 dwelling units could be constructed on the three lots owned by Mr. and Mrs. Beery under R-3 density provisions.

Commissioner Fleishhacker then inquired about the number of property owners directly affected by the subject application. Mr. Steele replied that three property owners were directly affected; and he indicated that one of the owners had signed a petition in support of the application. In reply to a further question raised by Commissioner Fleishhacker, Mr. Steele stated that the property owned by the individual who had signed the petition in support of the application is developed with a single family house. Commissioner Fleishhacker stated that it appeared to him that no development would be possible if the properties were rezoned to R-1 and if the owners of the property could not reach an agreement regarding a planned unit development application.

Mr. Steele stated that the property would be rezoned R-1 if the motion before the Commission were to carry. If the two owners of the vacant property were then to come to the Commission with a planned unit development application, and if that application were to be approved by the Commission, an increase in density up to R-2 could be permitted.

Commissioner Fleishhacker felt that it would be better to leave the property zoned R-3 or to rezone it to R-2 and to undertake a discretionary review of any building application which might be filed. He did not regard R-1 zoning with the possibility of planned unit development authorization as a realistic approach; and he asked if Mr. Steele would still be of the opinion that R-1 zoning would be desirable even if the planned unit development approach were not available. Mr. Steele replied in the affirmative.

Commissioner Farrell stated that he intended to vote against the motion. He remarked that Mr. and Mrs. Beery had already secured one building permit which could have been pursued if financing had been available; and, instead of rezoning the property, he felt that it would be better for the Commission to hear from prospective developers first and then to undertake discretionary review of their proposals if such actions seemed necessary.

President Newman stated that he would vote in favor of the motion because he felt that the various problems being faced by this very sensitive neighborhood dictate the necessity for low density development.

When the question was called, the Commission voted 3 - 2 to adopt Resolution No. 7030 and to approve the subject application. Commissioners Newman, Porter, and Rueda voted "Aye"; Commissioners Farrell and Fleishhacker voted "No."

The meeting was adjourned at 6:00 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, June 14, 1973.

The City Planning Commission met pursuant to notice on Thursday, June 14, 1973, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George Williams, Assistant Director - Plans and Programs; Robert Passmore, Planner V - (Zoning); James White, City Planning Coordinator; Richard Gamble, Planner IV; Ruth Jaffe, Planner IV; Marie Zeller, Planner III - Administrative; Wil Hardee, Planner II; Alan Lubliner, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ralph Craib represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that the minutes of the meeting of May 24, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, distributed and commented on a summary of the budget for the Department of City Planning for the next fiscal year as approved by the Board of Supervisors.

The Director reported that the California Coastal Zone Conservation Commission, meeting next Wednesday in Torrance, will hear appeals on projects proposed for Playland-at-the Beach and in the vicinity of Lake Merced Boulevard and Brotherhood Way. He stated that he did not intend to attend the meeting.

At this point in the proceedings, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

Proceeding with his report, the Director distributed and read the following memorandum:

"The Metropolitan Transportation Commission began operation in July of 1972 with the legislative mandate to develop a Regional Plan for Transportation by June 30, 1973. Working under its extremely tight schedule, MTC has published (and made available June 8) the 'Proposed Regional Transportation Plan' and is requesting comments prior to its scheduled adoption.

"The 'West Bay Public Hearing' on this plan was held last evening in the Board of Supervisors Chambers. The full Metropolitan Transportation Commission will be meeting again this evening concerning this matter, and there are policy matters which this Commission may wish to recommend to the proposed plan.

"This Memorandum is in four parts: (1) the Plan - an explanation of the Plan organization, (2) general review - observations on the procedures of Plan development (3) Hunters Point Parkway - a policy matter of particular note at this time, and (4) an addendum detailing a series of recommended changes to the Plan. Some of these detailed changes deal with policy matters, but many are due to cartographical error. These are primarily technical changes which the Department will continue to discuss with MTC at a staff level.

"The Plan

"The Plan is a statement of policies including priorities with a ten-year facilities plan. The plan is divided into six parts:

- "Section I. Issues and Goals - Declaration of Intent
- "Section II. Objectives and Policies to Guide Transportation Development
- "Section III. The Regional Transportation System
- "Section IV. Financial Plan and Priorities Program
- "Section V. Proposals for Action
- "Section VI. Plan Administration

"The Regional Transportation Plan is similar in its discussion of goals and policies to the City's 'Comprehensive Plan for Transportation.' It differs in that it discusses both projects and financing in its requirement for a ten-year facilities plan.

"A major point that should be noted is that applications for all federal monies and expenditures of all state monies for transportation (transit and highway) in the Bay Area must come to MTC for approval beginning July 1, 1973.

"General Review

"In general, the Proposed Regional Transportation Plan concurs with and complements the San Francisco Comprehensive Plan for Transportation. For that reason the attachment to this memorandum concentrates only on those areas of disagreement.

"Unfortunately, the process for development of the plan has precluded effective public participation, as is evidenced by the fact that the plan was not available until June 8 (and then in an incomplete version) with adoption necessary by June 30. This has been due, primarily, to the legislative mandate requiring a plan by June 30, 1973. To achieve the general support needed to make this public plan effective, a wider knowledge of the plan is necessary and a greater opportunity for a meaningful participation by the public must be made available.

"Hunters Point Parkway

"Section III of the Proposed Regional Plan identifies the physical elements (called 'issues') of the regional transportation system (highway or transit routes) and places each in one of four 'Categories of Approval,' reflecting the extent to which MTC has determined that it will help to meet regional transportation goals. In general the San Francisco-related issues are appropriately categorized.

"However, the regional planners have overlooked the Hunters Point Parkway in their identification of regional transportation issues.

"MTC may have only considered the Hunters Point Parkway as an approach to the Southern Crossing. (The Southern Crossing and Approaches is approximately placed in category IV - 'not included in plan ... inconsistent with present regional plans and goals.') However, the San Francisco Master Plan has long urged the creation of a Hunters Point Parkway as a separate and distinctive facility, a surface parkway of limited capacity, and as such it appears in both the South Bayshore and Transportation elements of the Comprehensive Plan.

"The Hunters Point Parkway is an important regional system element, involving access to regional employment and regional recreation facilities as well as the regional movement of goods. Moreover, it is a facility with community support in the South Bayshore.

"Recommendations

"The department would recommend that MTC, in the next year make an intensive effort to publicize the Plan and actively solicit public participation in its annual amendment process, and that the process to amend the plan be made clear and simple.

"The Department would further recommend that the Hunters Point Parkway be listed as a separate issue (WB-9) and be given a category II status in that this project is considered necessary to serve both regional and local neighborhood needs.

"The department would ask this Commission to endorse the above recommendations and authorize the Director to forward these comments to MTC."

Commissioner Fleishhacker moved that the recommendations of the staff be endorsed and that the Director be authorized to forward his comments to the Metropolitan Transit Commission. He also remarked that the term "parkway" tends to be immediately translatable into "freeway" in most people's minds; and he suggested that a better name should be found for the Hunters Point Parkway, such as the Hunters Point Lineal Transportation Park.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission Table.

Commissioner Farrell asked if the staff of the Department of City Planning had met with the Director of Public Works and the Director of Public Utilities to discuss the Metropolitan Transit Commission's plan. James F. White, City Planning Co-ordinator, replied that such co-ordination had not been possible because the plan had not been received until last Friday. However, he indicated that considerable discussion had taken place with both individuals relative to the Hunters Point Parkway; and he stated that they were in agreement with the staff of the Department of City Planning on that matter.

The motion was seconded by Commissioner Mellon.

When the question was called, the Commission voted unanimously to endorse the staff recommendations and to authorize the Director to forward his comments to the Metropolitan Transit Commission.

The Director introduced the next matter as follows:

"On May 31, I submitted to you guidelines which your staff proposes to use in advising potential developers of parking lots of measures that should be taken to improve the appearance of such lots. These guidelines would be used for both lots that are princi-

pal permitted uses under the Planning Code and those which are conditional uses requiring specific authorization by the Planning Commission. The guidelines have been developed as a result of studying existing parking lots in San Francisco and elsewhere, and from specific experience in working with developers of conditional use parking lots. As experience is gained in actual use of the guidelines some modifications may become appropriate.

"As I stated the guidelines are seen as another step in implementing policies of urban design element of the Master Plan, and the effectiveness of the guidelines will be increased if endorsed by the Commission.

"On the 24th you requested time to review the guidelines, and requested that staff present in graphic form the nature of the improvements recommended in the guidelines. For this purpose Mr. Passmore and Miss Jaffe have prepared a brief slide presentation."

Following a description of the prototype model of a neighborhood parking lot and a photographic slide presentation which described the goals which would be sought through the proposed guidelines, the Director recommended that the Commission endorse the guidelines and that it authorize the staff to use the guidelines in dealing with developers of new exposed parking lots.

Commissioner Rueda, noting that one of the proposed guidelines would specify that entrance ways should be no wider than necessary for the safe movement of vehicles, asked for an explanation of the guideline. The Director replied that excessively wide entrance ways require excessively wide curb cuts; and, in addition to reducing on-street parking space, wide curb cuts also endanger the safety of pedestrians.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the guidelines be endorsed and that the staff of the Department of City Planning be authorized to use the guidelines in its dealings with developers of new exposed parking lots.

CU73.21 - 76 COOK STREET, EAST LINE, 137.5 FEET NORTH OF GEARY BOULEVARD
REQUEST FOR A PARKING LOT FOR FIVE CARS FOR CUSTOMERS AND
EMPLOYEES OF THE ABBEY CARPET COMPANY; IN AN R-2 DISTRICT.
(UNDER ADVISEMENT FROM MEETING OF JUNE 7, 1973)

Robert Passmore, Planner V - (Zoning), remarked that the Commission had acted during the meeting of June 7 to declare its intention to approve the subject application and had requested the staff of the Department of City Planning to prepare a draft resolution containing appropriate conditions to govern the proposed use. He indicated that a draft resolution containing seven conditions had been prepared and had been distributed to members of the Commission.

Commissioner Porter asked if the conditions which were being proposed by the staff of the Department of City Planning were acceptable to the applicant. Mr. Passmore replied that the staff had not been able to contact the applicant; however, he noted that the applicant had stated during the meeting of June 7 that conditions of the sort which were being proposed would be acceptable.

Commissioner Rueda remarked that residents of the area who had appeared before the Commission on June 7 had requested that the entrance to the parking lot be protected with a gate rather than a chain; and he asked if the conditions which had been drafted by the staff would require the installation of a gate. Mr. Passmore replied that the preliminary plans which had been filed by the applicant had indicated that a gate would be installed; and he noted that Condition No. 1 of the draft resolution specified that the parking lot should be developed in conformity with the preliminary plans.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7031 and that application CU73.21 be approved subject to the conditions which had been recommended by the staff.

R73.23 - SALE OF PROPERTY: SOUTHERN POLICE STATION TO SALVATION ARMY,
LOT 10, BLOCK 3752 360 FOURTH STREET.

Richard Gamble, Planner IV, reported on this matter as follows:

"This building was leased to the Salvation Army approximately eight years ago after it had been vacated by relocation of the Southern Station to the Hall of Justice. Sale of the property would have been inappropriate due to the impending YBC redevelopment project.

"The Salvation Army has since contracted to buy the surrounding parcels for a combined housing and social services center, with a chapel and market adjoining the station parcel. The plans for this development were reviewed and approved by the City Planning Commission on December 2, 1971.

"The Army now wishes to include the station site, using the rear portion for underground parking, access ramp and a garden court. The station would eventually be replaced with a new 'Drop-in Center,' incorporating multi-purpose room, a chapel, T.V. lounge, snack bar, reading room, etc., for the elderly people of the neighborhood. The adjoining site, formerly designated for one-story chapel and market buildings would have a three-story structure over basement parking with commercial space at street level and S.A. headquarters offices on second and third floors. (These uses are in conformity with those specified in the Redevelopment Plan for YBC, however, the building height exceeds the 20 feet authorized in December 1971 and will require modification of that approval.)

"The Redevelopment Plan for YBC shows the Southern Police Station site as 'City owned,' rather than designating it for a land use. Surrounding land use designations would permit the contemplated facility.

"The Comprehensive Plan for Residence (pg. 14) Policy 2, regarding disposition of surplus or underused public land, gives first priority to 'public uses that would meet either immediate or long-term public needs. Such uses include community facilities, open space, and public utilities and transit.

"No City agencies have indicated a desire for the parcel, hence an institutionally-owned community center would appear to be closest to first priority."

The Director recommended that he be authorized to report that the sale of the property is in conformity with the Master Plan provided that it be merged and developed with the adjoining parcels and further provided that the Redevelopment Plan for Yerba Buena Center be appropriately modified if deemed necessary by the City Attorney.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the sale of Lot 10, Block 3752, is in conformity with the Master Plan, provided that it be merged and developed with the adjoining parcels and further provided that the Redevelopment Plan for Yerba Buena Center be appropriately modified, if deemed necessary by the City Attorney.

At 3:00 P.M. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:15 P.M. for hearing of the remainder of the agenda.

3:15 P.M. - Room 282, CITY HALL

EE73.23 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT FOR YERBA
BUENA CENTER PUBLIC FACILITIES AND PRIVATE DEVELOPMENT

The project was described by Robert Passmore, Planner V (Zoning), John Dyksta, Project Manager; Cyril Hermann, Vice President of Arthur D. Little, Inc; and members of his staff.

The Commission received and responded to comments made by members of the audience, including William M. Brinton; Richard Gryziec, representing San Francisco Tomorrow; Lyman Gee; Leland Myers, Central City Anti-Poverty Program; Irving Baldwin, Executive Director of the Hotel Employees Association; Sandy Marks, Peter Mendelsohn of TOOR; Robert Sullivan, General Manager of the San Francisco Convention and Visitor Bureau; and James MacDougall of the staff of the Metropolitan Transit Commission. Receipt of letters from William M. Brinton and the Human Rights Commission was noted. At the conclusion of the hearing, it was moved by Commissioner Ritchie, seconded by

Commissioner Fleishhacker, and carried unanimously that the hearing be continued until the Commission's meeting on June 28, 1973. A standard tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription. In addition, a court reporter in the employ of the Redevelopment Agency was present and will prepare a transcript of the proceedings.

The meeting was adjourned at 6:05 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

TBJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, June 21, 1973.

The City Planning Commission met pursuant to notice on Thursday, June 21, 1973, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George Williams, Assistant Director - Plans and Programs; R. Spencer Steel, Assistant Director - Implementation (Zoning Administrator); Peter Svirsky, Planner V (Zoning); and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that the minutes of the meeting of May 3, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, called on Ronald Jonash, Planner III, to summarize the provisions of a resolution approved by the Board of Supervisors on Monday which would authorize the City and County to established a housing rehabilitation financing program to take the place of the Federally Assisted Code Enforcement program in conservation areas designated under the San Francisco Housing Code.

Commissioner Fleishhacker, noting that buildings designated as historic landmarks were not eligible for low interest loans under the FACE program unless they were in designated FACE areas, asked if the program now being formulated would be more flexible in that regard. Mr. Jonash replied that the program, as being proposed, would also require Landmark buildings to be located in designated rehabilitation areas if they were to be eligible for low interest loans; however, he felt that it was possible that the concept of the program could be expanded in the future.

Commissioner Fleishhacker remarked that the program being proposed would not make any provision for outright grants; and, based on experience with projects which have been completed, he asked Mr. Jonash to comment on the probable effect of that deficiency in the proposed probable effect of that deficiency in the proposed program. Mr. Jonash replied that the lack of a grant fund might pose serious

JUNE 21, 1973

problems for elderly property owners on a fixed income. He felt that the problem could be overcome if a revolving fund were to be established from which grants could be allocated to property owners with no requirement for immediate repayment. Such grants would constitute a lien against the property and would be repayable by the owners and heirs.

President Newman asked if the proposed program would be available to owner-occupants only. Mr. Jonash replied that no distinction would be made between owner-occupants and absentee landlords except that owner-occupants would be eligible for larger loans for general improvements. He also advised the Commission that the City could not proceed with the proposed program until a favorable court decision has been rendered.

Commissioner Mellon remarked that adoption of the proposed program would result in the extension of the City's contracts for certain Federal funds for relocation, hardship cases, and other related matters.

The Director reported on actions taken by the Planning and Development Committee of the Board of Supervisors on Tuesday.

The Director advised the Commission that HUD has offered the City \$35,000 for land use planning in the Hunters Point area; and he indicated that the Department of City Planning's role in such a project has been discussed with the Mayor's office. He also remarked that 701 money from HUD, which used to be available directly to planning offices, is now increasingly being directed to the offices of chief executives.

The Director reported that a Special evening meeting will be scheduled on July 26 for the Commission to receive comments from residents of the Haight Ashbury neighborhood relative to the final report on the staff study of that area.

The Director advised the Commission that he had just received from the State a draft of guidelines for required local general plan elements.

PUBLIC HEARING TO CONSIDER REQUESTING THAT THE SECRETARY OF THE CALIFORNIA RESOURCES AGENCY MAKE AMENDMENTS TO THE STATE GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, INCLUDING THE LIST OF CATEGORICAL EXEMPTIONS AND OTHER MATERIAL IN SAID GUIDELINES.

At this point in the proceedings, Commissioner Rueda arrived in the meeting room and assumed his seat at the Commission table.

Peter Svirsky, Planner V (Zoning), reported on this matter as follows:

"The Commission will recall, from its hearings on San Francisco's categorical exemptions, that the Secretary of the California Resources Agency has announced his intention to consider modifications to the

State EIR guidelines in August 1973. The Secretary has asked that comments and criticisms be submitted to him by July 15.

"Because of the Commission's own expressions of concern, and in the interest of smooth functioning of the environmental review process, today's hearing was scheduled for consideration of comments that San Francisco might make to the Resources Secretary. Under our local ordinance, it is the Planning Commission that is to make recommendations to the State as to the categorical exemptions appearing in the guidelines, and it is the staff's belief that other suggestions should be made as well.

"Before the Commission is a memorandum from the Director that was previously sent to you, and copies of the present State guidelines were also mailed with this memorandum. There is a series of recommendations here for improvements in the State guidelines, many of which deal merely with clarifications and some of which are more substantive. Those that seem to have the greatest importance are as follows:

- "1. Narrowing of the requirements for environmental review of master plan elements, confining the review to amendments that directly contemplate development or that significantly loosen existing planning and conservation policies. (15037(a)1)
- "2. A more definite statement relating to the discretionary review power in San Francisco, to the effect that environmental review is not required unless the review power is actually exercised. (15073)
- "3. Spelling out of the types of aesthetic effects that are to be considered significant in environmental review (15081(c)2)
- "4. A similar spelling out of the effects on human beings that are contemplated in the criteria of the guidelines. (15082(d))
- "5. A better indication of how the 'certification of completion' required by the Act is to be accomplished, and the same for the concept of 'adoption' of the report. (15085(e) and (f))
- "6. In the categorical exemptions, better recognition of industrial, institutional and public structures and facilities in the places where commercial structures are mentioned. (15102(b) and 15103(c))

- "7. A categorical exemption for housing, regardless of the number of units, if the housing is on a site within an area already characterized by development of a similar character, and if it is consistent with the existing development in density, height and open spaces. The present limit is four units in all cases. (15103(b))
- "8. A categorical exemption for non-residential structures, such as in the downtown area, if they are on sites within areas already characterized by development of a similar character, and if they are surrounded by structures of at least as great a height and intensity (15103(c))
- "9. Elimination of the paragraph in the categorical exemptions section that presently begs the question by referring vaguely to environmental resources, hazards of critical concern and cumulative effects. This paragraph seems to prevent the exemptions from being truly categorical. (15114)"

During the course of Mr. Svirsky's presentation, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Fleishhacker felt that Mr. Svirsky had done an excellent job in preparing the memo which had been sent to members of the Commission. He agreed that clarification of the distinction between "certification of completion" required by the Act and "adoption" of the EIR as specified in the Guidelines would be desirable. With regard to the issue of replacement buildings, he noted that Mr. Svirsky had recommended that the appropriate sections of the Guidelines should be deemed to designate industrial, institutional, and public structures and facilities in addition to commercial structures as being categorically exempt from the environmental impact requirement. In his opinion, it might be wise to exempt all replacement buildings, including residential structures, from the requirements. He also objected to the language "including but not limited to" which was used quite often in the Guidelines. He agreed with Mr. Svirsky's comments on the paragraph on "exception by location". However, he felt that stronger language should have been used in the comment on Section 15142; and, instead of suggesting that only "known" projects should be covered, he felt that it would be better to suggest that only "imminent" projects should be covered.

Commissioner Porter noted that Mr. Svirsky had recommended that the Guidelines should clarify the types of aesthetic effects on the environment and the adverse effects on human beings which should be considered; and she observed that the City Planning Commission might have less flexibility if the Guidelines were to be more specific.

The Director felt that the vagueness of the Guidelines as presently worded might cause more problems for the Commission.

Mr. Svirsky remarked that either case could be true depending upon the circumstances. Other individuals, and ultimately the courts, might have a different outlook than the Commission as to the kinds of aesthetic effects or effects on human beings that ought to be considered for a particular project.

President Newman remarked that Mr. Svirsky had recommended that the Guidelines should be modified to state that projects are ministerial unless a discretionary power is actually exercised; and he asked if adoption of that language would significantly reduce the number of projects which must be reviewed in San Francisco. Mr. Svirsky replied in the affirmative. Perhaps only one building permit in a thousand may actually be given discretionary review; yet, under present circumstances, the remaining 999 applications must be reviewed by the staff of the Department of City Planning at least initially, as to their environmental impact.

Commissioner Farrell, noting that operating departments had previously appeared before the Commission to seek exemptions for replacement of street-lighting fixtures and replacement and enlargement of water mains, asked if a recommendation should be made to the State regarding those matters. Mr. Svirsky replied that he believed that the areas of concern had already been resolved.

Don Hesse, representing the San Francisco Fair Housing Planning Committee, agreed with Commissioner Porter that it might be wise for San Francisco, which is unique, to reserve the flexibility to make its own determination of the adverse effects of particular projects on human beings.

No one else was present in the audience to address the Commission on this matter.

The Director recommended the adoption of a draft resolution which he had prepared with the following resolve:

"RESOLVED, That the City Planning Commission does hereby direct the Director of Planning to convey to the Secretary of the California Resources Agency his comments as described above with the endorsement of his Commission, and the Commission further authorizes the Director to indicate to the Secretary any other appropriate suggestions for amendment of the State Guidelines, consistent with said comments and with the Commission's expressions of interest in this matter."

Commissioner Fleishhacker stated that he was disturbed about the issue of defining possible adverse effects on human beings. He remarked that adverse effects on health can be determined; but adverse effects on human beings is a subjective matter.

Commissioner Mellon stated that almost anything can have an adverse effect on human beings; and he indicated that the language relating to that issue did not bother him any more than other language contained in the State Guidelines.

Mr. Svirsky remarked that it was apparent that officials at the State level were of the opinion that adverse effects of projects on human beings were a matter of statewide concern, as stated in the Acts; and, if so, he felt that the State should provide guidelines relative to what should be considered.

The Director agreed and suggested that the phrase "adverse effects on human beings" should either be defined or removed from the guidelines. He indicated, however, that the issues raised by Commissioner Porter, as well as other points raised by members of the Commission, could be discussed in meetings with the State

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7032.

The meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

a b j

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting, held Thursday, June 28, 1973.

The City Planning Commission met pursuant to notice on Thursday, June 28, 1973, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President, Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George A. Williams, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); James White, City Planning Coordinator; Richard Gamble, Planner IV; Charna Staten, Planner III - Transportation; Emily Hill, Planner II; Linda Ferbert, Planner I; Gary Craft, Planner I; Lois Fishman, City Planning Intern; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle.

1:00 P.M. Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on July 5, 1973.

2:15 P.M. - 100 Larkin Street

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, remarked that Federal funding for the Chinatown Redevelopment Project has been approved.

The Director reported on actions taken by the Board of Supervisors during their meeting on Monday.

The Director reported that he had joined other City officials for a tour of the Hunters Point Naval Shipyard property on Wednesday.

The Director advised the Commission that he had attended a meeting in the Inner Richmond district to discuss the proposed Locally Assisted Code Enforcement Program for that area.

The Director informed the Commission that a public hearing on the Environmental Impact Report for the California Academy of Sciences' expansion program will be scheduled for July 26.

THE HISTORY OF THE CITY OF BOSTON

FROM THE FIRST SETTLEMENT IN 1630 TO THE PRESENT TIME
BY SAMUEL JOHNSON, ESQ. OF BOSTON

IN TWO VOLUMES.
THE FIRST VOLUME CONTAINS THE HISTORY FROM 1630 TO 1780.
THE SECOND VOLUME CONTAINS THE HISTORY FROM 1780 TO THE PRESENT TIME.

BOSTON: PUBLISHED BY S. JOHNSON, AT THE CORNER OF NASSAU AND NINTH STREETS.
1790.

THE HISTORY OF THE CITY OF BOSTON, FROM THE FIRST SETTLEMENT IN 1630 TO THE PRESENT TIME, BY SAMUEL JOHNSON, ESQ. OF BOSTON. IN TWO VOLUMES. THE FIRST VOLUME CONTAINS THE HISTORY FROM 1630 TO 1780. THE SECOND VOLUME CONTAINS THE HISTORY FROM 1780 TO THE PRESENT TIME.

BOSTON: PUBLISHED BY S. JOHNSON, AT THE CORNER OF NASSAU AND NINTH STREETS. 1790.

THE HISTORY OF THE CITY OF BOSTON, FROM THE FIRST SETTLEMENT IN 1630 TO THE PRESENT TIME, BY SAMUEL JOHNSON, ESQ. OF BOSTON. IN TWO VOLUMES. THE FIRST VOLUME CONTAINS THE HISTORY FROM 1630 TO 1780. THE SECOND VOLUME CONTAINS THE HISTORY FROM 1780 TO THE PRESENT TIME.

BOSTON: PUBLISHED BY S. JOHNSON, AT THE CORNER OF NASSAU AND NINTH STREETS. 1790.

The Director continued his report as follows:

"I have a capital improvement item for Commission consideration this afternoon. It is for the improvement of playground facilities at seventeen elementary schools.

"The project has been initiated by a group of parents from several schools who call themselves 'Volunteers to Beautify our Schools'. Based on work done by this group, the Board of Education has prepared and submitted a supplemental appropriation request in the amount of \$96,000. Also, this item is included in the Mayor's General Revenue Sharing program.

"At each of the schools included in this request, parents along with school district staff and a playground consultant have drawn plans for new recreational improvements which they feel will meet the needs of the children at their respective schools. These schools are located throughout San Francisco and have a total student body of 6,000 children of all ethnic and economic backgrounds.

"While the type of construction and equipment will vary for each school, the general intent is to provide an innovative approach to playground design through the combined use of woods and metals. An example of the approach which is being proposed is now in use at McKinley School. Also, in keeping with a recommendation of the Improvement Plan for Recreation and Open Space, a portable play unit is included in the request.

"In my opinion, the project for playground improvements at various elementary schools is in conformity with the intent and purpose of the Master Plan. Therefore, I recommend its approval."

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the supplemental appropriation from the Board of Education be approved as in conformity with the Master Plan.

Commissioner Fleishhacker requested the Director to explore the feasibility and desirability of initiating a Planning Code amendment which would provide that in the case of R-1 properties which are occupied by officially designated Landmark buildings, the Commission might consider applications for conditional uses presently listed as permissible in R-2 districts. He felt that such an amendment to the City Planning Code might be helpful in preserving Landmark buildings in R-1 Districts.

Commissioner Ritchie expressed his support for Commissioner Fleishhacker's proposal. The Director stated that he would consider the proposal and that he would report back to the Commission on the matter at an early date.

Commissioner Farrell asked if a date had been set for the public hearing on the environmental impact report for the proposed expansion of the San Francisco International Airport. The Director replied in the negative. He stated that the staff of the Department of City Planning is working on the report; and he indicated that the matter will probably be scheduled for hearing before the Commission within the next two months.

R73.27 - ENCROACHMENT PERMIT, KING, FOURTH, FIFTH, AND JEWETT STREETS;
NEW SOUTHERN PACIFIC DEPOT FACILITIES.

Richard Gamble, Planner IV, reported on this matter as follows:

"The relocation and design of the S.P. commuter depot has been reviewed and approved by the Commission as recently as January 4, 1973. The permit sought would allow placement of a fence along and in King Street approximately five feet within the right-of-way, and continuing westerly across Fifth Street another fence across Fifth Street along the Townsend Street right-of-way line, a bus bay in 4th Street in front of the station, and use of Jewett Street (an alley running the length of the block) for station, shelter and loading platforms.

"The location of these facilities appears to be in accord with plans approved by the Commission. Staff review of final plans is recommended to assure accord on design details.

"The propriety of granting an encroachment permit for use by a public street for permanent buildings is questionable. According to the Survey Department of the Bureau of Engineering, this is a fee street, not an easement street. The City is entitled to compensation for the use of the street, and sale or lease of the street would accomplish this goal. The staff preference is for leasing the street, thereby retaining some measure of influence over future changes in the development and utilization of the property.

"The Urban Design Plan Policy 9 for Conservation (pg. 29), applicable criteria for favorable consideration of lease or sale of street area, is (3) 'Necessary for a significant public or semi-public use, when the nature of the use and character of the development proposed present strong justification for occupying the street area rather than some other site.' Use of the street area is unavoidable in this case."

The Director recommended that he be authorized to report that the granting of an encroachment permit for a fence approximately 5 feet inside the King Street right-of-way and across 5th Street at King Street and Townsend Street and for a bus bay on the west side of Fourth Street between King and Townsend Streets does not affect the Master Plan. He further recommended that he be authorized to report that the lease of Jewett Street between Fourth and Fifth Streets would be in conformity with the Master Plan.

Commissioner Ritchie remarked that Jewett Street, which is not developed, has always been a part of the Railroad Yards; and he wondered how Southern Pacific representatives would react to the Director's proposal that they now be required to lease the street from the City.

No representative of Southern Pacific was present.

The Director remarked that Southern Pacific has plans to abandon railroad use of the block immediately east of the subject property; and he indicated that it was conceivable that railroad use of the subject property may be abandoned in the future, also. In view of the fact that the large parcels of property which result when city blocks are combined present the most major development problems from a City Planning point of view, he felt that it would be desirable for the City to retain control over Jewett Street, which it owns in fee.

Commissioner Fleishhacker observed that the amount of money which the City would receive from leasing the street would probably be small because of the limited use to which the property lends itself.

Commissioner Ritchie stated that he did not feel that it would be proper to require Southern Pacific to pay for the property.

Commissioner Rueda observed that Southern Pacific representatives might have no objection to leasing the property; and he indicated that he would like to have an opportunity to hear from them before taking action on the matter.

The Director felt that the Commission could assume that Southern Pacific would prefer not to pay for the property.

Commissioner Fleishhacker, noting that Southern Pacific was proposing to encroach on City-owned property on the west side of Fourth Street for a bus bay, asked if there would be any purpose in requiring Southern Pacific to provide the City with comparable space on their own property on the east side of Fourth Street. The Director replied in the negative, emphasizing that the Commission had requested that the bus bay be provided.

Mr. Gamble agreed that the rental fee which the City would receive from Jewett Street would be nominal; and, in view of the fact that the City would still retain control over the street even if the requested encroachment permit were to be granted, he felt that that approach might not be unreasonable.

After further discussion, the Commission decided that it wished to have more information on the applicant's proposal; and President Newman ordered that the matter be taken under advisement for one week and that representatives of Southern Pacific be requested to be present during the Commission's meeting on July 5.

R73.33 - JURISDICTIONAL TRANSFER OF LOT 3 IN BLOCK 5317 BOUNDED BY INDUSTRIAL STREET, OAKDALE AVENUE, PALOU AVENUE, AND SELBY STREET: FOR BAYVIEW - HUNTERS POINT GROWTH AND DEVELOPMENT CENTER.

Richard Gamble, Planner IV, reported on this matter as follows:

"The parcel in question is located on the periphery of the Islais Basin industrial area. The Southern Embarcadero Freeway looms over Selby Street, the other bounding streets are all thoroughfares with moderate to heavy traffic, largely trucking. Diagonally opposite the site at Palou and Selby is a mini-park.

"The property is City-owned, a remnant of the City's purchasing of the rights-of-way for the freeway before the project was assumed by the State. In 1970 the Commission approved its lease on a short-term basis as a truck parking lot, and recommended retaining ownership, lest it be needed in the future by one of the City's operating departments. The Sealer of Weights and Measures and the Director of Finance and Records had indicated need for storage facilities. The South Bayshore District amendment to the Master Plan indicates use of this site for industry.

"The Bayshore-Hunters Point Model Neighborhood Area wishes to use the site for its Growth and Development Center. The center would provide services for 25 to 50 emotionally disturbed or retarded pre-school children with a staff of eight. The Model Cities Agency states that this is an urgent matter because the Center must be relocated from its church basement quarters as soon as possible. The program has a tight budget, hence the desire to utilize City-owned land, as well as to avoid a time-consuming site search."

The Director stated that the matter of expediency was a valid concern, given the reduction of Model Cities funds and the need to relocate the Growth and Development Center from its present site. However, he observed that expediency often leads to selection of a site which is more than a little undesirable. He stated that the staff of the Department of City Planning had looked at the proposed use of the subject property in terms of the Master Plan. The Master Plan calls for the site to be used for industrial purposes; and the staff felt that the property would be poorly suited for educational or therapeutic purposes. Traffic hazards to the children and the industrial environment are significant drawbacks; however, those factors seemed minor when compared to the ceaseless roar of traffic noise. The portable classrooms proposed for the Center would do little to shield the activities from the noise. Under the circumstances, he recommended that he be authorized to report that jurisdictional transfer of the property to the Model Cities Agency for a Growth and Development Center would not be in conformity with the Master Plan. He further recommended that the Director of Property be requested to work with the Model Cities Agency and the staff of the Department of City Planning in an effort to find a more suitable site for the Growth and Development Center, which is already poorly housed.

Charles Countee, Director of the Bayview Hunters Point Model Cities Agency, confirmed that the Growth and Development Center is ill-housed at the present time; and he advised the Commission that a request had been made approximately 8 months ago that the Center vacate its present quarters. Although they had been working with the staff of the Department of City Planning, they had been unable to find any suitable site for the Center. He realized that the subject site does present problems; however, he felt that the problems could be overcome. For instance, fences could be erected to protect the children from the traffic. Although the property is located in an industrial district, a residential area does exist approximately two blocks away; and the mini-park which is located across the street from the property is used by children of the same age as those attending the Center. He felt that it was unfortunate that the amount of traffic on the freeway could not be reduced to alleviate the noise problem; however, he hoped that it would be possible to cut down the noise to some extent.

Bobby Hodges, Chairman of the Bayview-Hunters Point Model Neighborhood Agency, acknowledged that the subject property is not entirely suitable for the Center; however, she emphasized that it is the only site which they had been able to find. She also noted that the facilities to be located on the property would be portable.

Commissioner Ritchie inquired about the square footage of the subject property and asked if the Center intended to purchase it from the City. Mrs. Hodges replied that the property has an area of approximately 50,000 square feet. Mr. Countee stated that the property would continue to be owned by the City but that it would be transferred jurisdictionally to the Mayor's office for their use.

Commissioner Rueda asked about the ages of the children attending the center. Mr. Countee replied that the ages of the children range from 5 years to 8 years; and he indicated that children return to regular schools after attending the Center. In reply to a further question raised by Commissioner Rueda, Mr. Countee stated that the center does have a staff psychiatrist.

Commissioner Rueda remarked that it would seem that the noise of the freeway traffic would have a distressing effect on the disturbed children attending the center. Mr. Countee replied that noise levels would not be as great inside the classroom building; and when the children are playing outside, the noise which they create will probably be louder than the traffic.

Commissioner Ritchie asked if it is essential for the Center to be located on City-owned land. Mr. Countee stated that they had originally planned to purchase property for the Center; however, because of a recent \$5 million cut in their budget, purchase would no longer be feasible.

Commissioner Ritchie stated that he owns 70,000 square feet of property in the vicinity of Armstrong and Griffith Streets on which it would be possible for the Center to develop a small farm; and he indicated that he would be happy to consider leasing the property to the Center for a nominal sum.

Harold Brooks stated that the Growth and Development Center had been started independently from the Model Cities Agency; and he felt that the program had been quite successful. He stated that the Center presently has a small farm in the right-of-way of Dianna Street; and, if that property were available, it would be sufficient to serve the needs of the Center.

The Director asked why the center had requested to use the subject property rather than the right-of-way of Dianna Street.

Mabel Schine stated that the matter had been discussed with the City's Real Estate Department; however, they had been advised that authorization would not be given to them to use the street for classroom buildings because property on the west side of the street is privately owned.

Commissioner Porter stated that she and other members of the Commission had visited the subject site during a field trip earlier in the afternoon; and, while they were deeply sympathetic with the objectives of the Center, they were disturbed by the fact that the subject property, unlike the mini-park across the street, is located beneath a freeway where noise levels are intolerable. If the disturbed children attending the Center were to be housed in such an environment, she did not feel that the Center could effectively do the job which it wishes to do. Therefore, she suggested that the Center should continue to work with the staff of the Department of City Planning to find a more acceptable site.

The Director stated that the matter had been scheduled for consideration by the Commission during the present hearing only because he had been advised of the extreme emergency of the matter; and he remarked that he had not enjoyed the prospect of making a negative recommendation on a proposal which had come from another public agency located in the Bayview-Hunters Point Area, especially in view of the fact that that agency is working with disturbed and handicapped minority children. Yet, he had made a negative recommendation because of an honest concern about the propriety of using the site as proposed. As an alternative to the Commission's taking a negative action on the proposal, he suggested that the Commission might wish to defer action for a reasonable period of time to enable the staff of the Department of City Planning to make further efforts to find a more appropriate site.

Mr. Brooks asked about the probable length of the delay which the Director was proposing. The Director replied that one month should provide sufficient time in which to determine whether any real alternatives are available.

Mr. Brooks asked if the staff or the Commission could use their influence to obtain permission from the Board of Education for the Growth and Development Center to use facilities at the Burnett School during the summer months. The Director replied that the Commission could write a letter to the Board of Education; and the staff could follow-up the request by telephone. He emphasized, however, that the Board of Education is an independent agency.

Mr. Countee stated that he would be most appreciative if the Commission would follow through on Mr. Brooks' suggestion. He also emphasized that the Growth and Development Center must be established in its new quarters when the fall school session starts in two months.

Juanita Stone, Deputy Director of the Bayview-Hunters Point Model Cities Agency, stated that she appreciated the Director's concern about the subject property; however, she emphasized that the matter of timing was an issue of over-riding concern. She stated that funding from the Department of Social Services is predicated on the availability of an adequate facility for the Center; and she indicated that the Center must be located in a new facility by September 1. Under the circumstances, she urged the Commission to go on record giving top priority to finding a suitable site for the Center.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Porter that action on the subject referral be deferred and that the Director be requested to seek an alternate site for the facility and to report on his progress in two weeks.

Commissioner Farrell, noting that Mr. Countee has stated that \$5 million had been cut from the Model Cities budget, asked how much money will be available for the activities of the agency. Mr. Countee replied that the agency had had a budget of \$6,351,000 for the calendar year from September 1, 1973, to August 30, 1973. However, for the 10 month period commencing September 1, 1973, only \$1,142,300 will be available. Commissioner Farrell then asked why the Center is being forced to move from its present location. Mr. Countee replied that the church in which the Center is presently located needs the space for its senior citizens program.

Commissioner Ritchie stated that his property needs to be cleaned up; however, he repeated that he would be willing to lease it to the Center for a nominal amount which would cover his taxes.

When the question was called, the Commission voted unanimously to defer action on the subject referral and to request the Director to seek an alternate site for the Growth and Development Center and to report on his progress in two weeks.

At 3:10 p.m., President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:20 p.m. for hearing of the remainder of the agenda.

EE73.23 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT FOR YERBA BUENA CENTER PUBLIC FACILITIES AND PRIVATE DEVELOPMENT.
(UNDER ADVISEMENT FROM MEETING OF JUNE 14, 1973.)

The Commission received and responded to comments made by the members of the audience including Richard Crysiec, representing San Francisco Tomorrow, Walter Knox, a resident of Clementina Towers, Frank Agurdy of URS Research Company, Walter McDonald of Self Help for the Aged, Leland Meyerzove of the Central City Anti-Poverty Program (EOC), and Peter Mendelsohn of TOOR. Commissioner Ritchie raised

a number of questions and made comments reflecting his opinion of the design and financing program being contemplated for the public portions of the proposed project.

At the conclusion of the hearing, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and voted unanimously that the matter be taken under advisement until the Commission's meeting on July 12, 1973, at 3:00 p.m. Written comments submitted by July 3 will be considered; and a final draft of the environmental impact report for the Yerba Buena Center will be available to the public on July 6.

A standard tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription. Also, a court reporter was present who has prepared a transcript of the proceedings for the Redevelopment Agency.

CONSIDERATION OF PROGRAMS FOR CARRYING OUT THE IMPROVEMENT PLAN FOR RECREATION AND OPEN SPACE.

George A. Williams, Assistant Director - Plans and Programs, stated that he was prepared to summarize a revised draft of three sections of the programs recommended for carrying out the Recreation and Open Space element of the comprehensive plan. He stated that it was originally the intention of the staff to submit all sections of the programs document to the Commission and to ask for Commission endorsement of them on July 19. However, several recent developments had made it desirable for the Commission to act before June 30. He stated that the Department of City Planning had recently been advised by a staff member of the State Resources Agency that action on the programs section is required by that date. A bill postponing the June 30th deadline had been introduced in the State legislature; however, because it had encountered procedural delays, it was not certain that the legislation would be enacted. While the staff of the Department of City Planning did not agree with the State Resources Agency's position that the Commission must take action on the programs section, it was felt that it would be advisable for the Commission to take some interim action until the matter is resolved. He stated that the neighborhood programs section had not been included in the revised report which had been sent to members of the Commission because additional work between the staff and neighborhood groups is still needed; however, he anticipated that revisions of that section will be available by July 19.

Allan B. Jacobs, Director of Planning, apologized for the fact that the members of the Commission had not had adequate time to review the revised report; however, in view of the fact that the State could use non-action as an excuse for halting the issuance of building permits in San Francisco, he felt that it would be advisable for the Commission to adopt the report on an interim basis.

President Newman stated that he had asked the staff of the Department of City Planning to bring the revised report before the Commission at this time because he felt that the Commission should have an action on record prior to June 30.

Commissioner Fleishhacker, noting that page 1 of the report indicated that Policy 3 called for establishment of a regional agency responsible for open space regulation, acquisition, and management; and he asked if the policy could also state that the agency would not necessarily have to be independent.

Emily Hill, Planner II, stated that the policy had been worded in that manner in the adopted Improvement Plan for Recreation and Open Space; and she indicated that a similar change could be made in the report presently under consideration.

Commissioner Fleishhacker then remarked that a statement was contained on page 2 of the staff report which stated that the people of San Francisco own over 60,000 acres of watershed lands in the Bay Area; and he suggested that reference to ownership by the "people" be deleted unless the sentence was a quotation from another source. Miss Hill replied that the change could be made.

President Newman observed that the staff report contained no recommendation for recreational projects at Lands End. Commissioner Mellon replied that a great deal of money had been spent for engineering studies of that area; and the engineers had been unable to give any assurances that the land in that vicinity is stable enough for development.

The Director confirmed that the staff had not recommended development of a road through that area; and he indicated that he felt that the best use of the area would be for hiking.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7033 be adopted with the following resolve:

"RESOLVED, that the City Planning Commission does hereby approve the basic approach and intent of the specific programs described in the document entitled 'Recreation and Open Space Programs; Recommendations for Carrying Out the Plan for Recreation and Open Space,' dated June, 1973, and judges these programs to constitute appropriate action programs for implementing the newly-adopted Recreation and Open Space Element of the Comprehensive Plan."

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

